

VOLUME VII, NUMBER 1, WINTER 2006/07

CLAREMONT

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A Journal of Political Thought and Statesmanship

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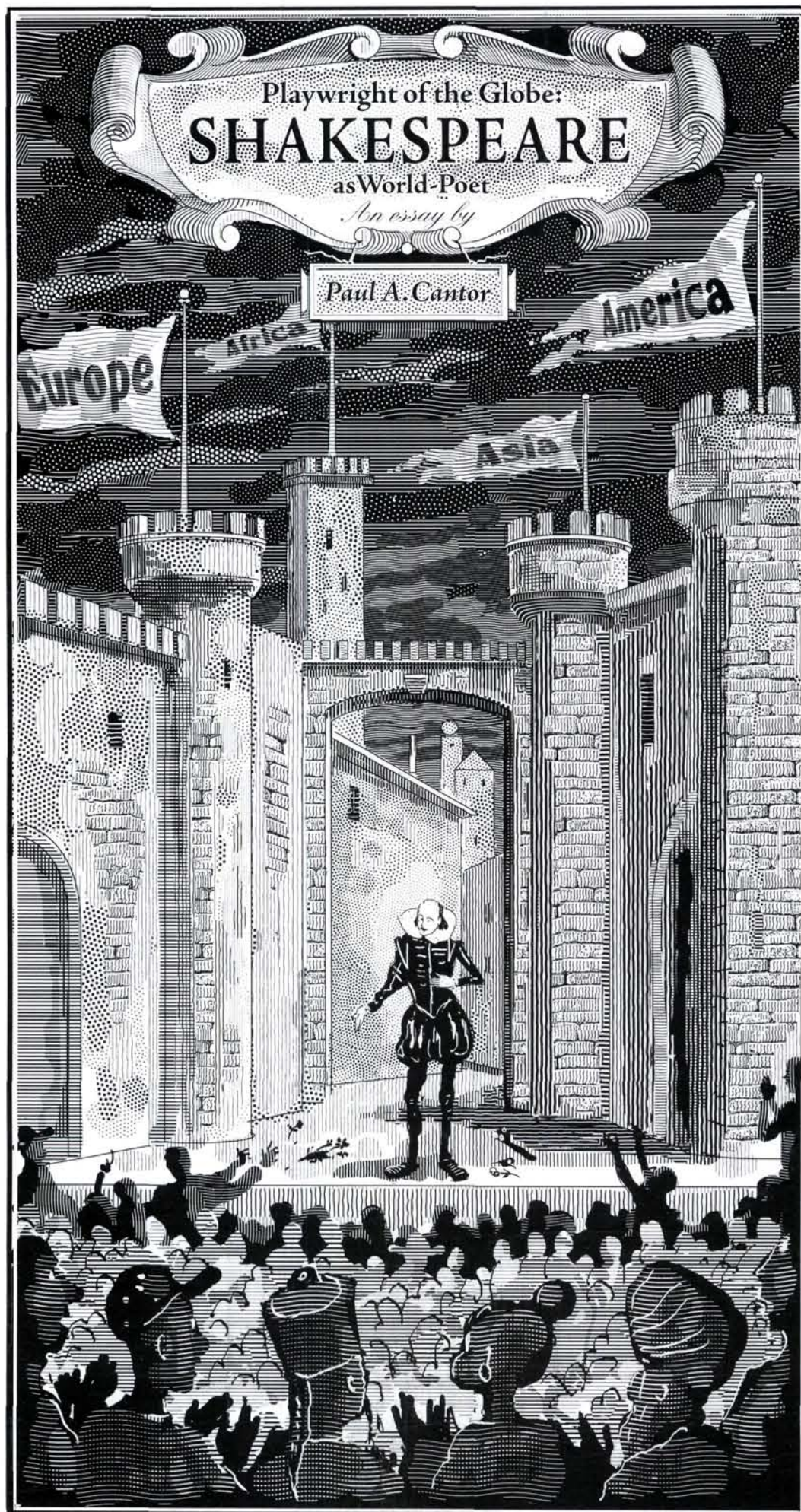
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FROM THE EDITOR'S DESK

AFTER THE THUMPING

by Charles R. Kesler

CONSERVATIVES ARE OFFERING A CURIOUS EXPLANATION FOR the drubbing they took at the polls: they blame the Republicans. The 2006 elections were not a conservative defeat, you see; they were a Republican one, a rejection of a party that had strayed too far from the conservative path. John McCain put the point nicely: "Americans had elected us to change government, and they rejected us because they believed government had changed us."

The corollary is that McCain—along with many other, more reliable conservative spokesmen—believes that most Americans remain quietly conservative. But this latent center-right majority, he argues, needs reassuring that in 2008 the GOP will once again hew to true-blue (pardon the term) conservative principles.

In their hearts, he knows they're Right. Such a faith, though gratifying, is bound to be disappointed. If conservatism means being decent and patriotic, then of course, nearly all Americans are fuzzily conservative. But that doesn't tell you much about how they vote, which in recent years has been in roughly equal numbers for Democrats and Republicans. The notion that a steady conservative majority exists, waiting only to be activated by the right Republican appeal, thus makes for bad GOP strategy. It lures Republicans into thinking their job is easier than it is, by disguising the hard truth that victory still depends on *persuading*, not merely reminding, a crucial segment of the electorate to think conservative and vote Republican.

But the idea that conservatives long ago won the battle for public opinion, and that the GOP has only to collect on their victory, runs afoul of a deeper problem, which is that the definition of conservatism is more clearly up for grabs than at any time since the end of the Cold War. McCain recognizes this, inasmuch as his presidential candidacy depends on offering his own twist on the term.

After the fall of the Soviet Union, conservatism lost the urgent motivation provided by anti-Communism. Many predicted a crack-up, but what actually ensued was a series of flirtations with new, or at least newly assertive, right-wing elements. Upward floated the balloons of civil society conservatism (an anticipation of the compassionate conservatism to come), "third wave" conservatism (technology to the rescue), and national greatness conservatism (McCain was an early enthusiast). Some traveled farther than others, but each descended under the weight of its own limitations and the pressure of events.

Libertarianism, emboldened by socialism's pell-mell retreat, enjoyed its moment, too, though less than one might have expected. Communism's collapse in Eastern Europe did not translate directly into capitalism's triumph there; and in America, the boom of the 1980s and 1990s, staggered but not stopped by a recession and 9/11, proved vigorous enough to finance both federal tax cuts and benefit increases, at least temporarily. Prosperity, strangely enough, made libertarianism less compelling.

INTO THIS DISORDERLY SCENE STRODE GEORGE W. BUSH, TOUTING A compassionate conservatism that accepted the present size of government (or at least resolved to stop arguing about it) and strove to build an enduring Republican majority by increments, appealing to soccer-cum-security moms, immigrants, and minorities. Though the strategy contributed to victory in several elections, it came with high costs. Literally: the new prescription drug entitlement will cost untold billions (though it will save some hospitalization costs, too). More important in the short term, compassionate conservatism eviscerated the GOP's reform ambitions. By abandoning the public case for limited government, Bush's spiritless conservatism left the administration, and especially Congress, adrift and spendthrift.

Even more acutely, there is confusion now over conservative foreign policy. The Bush Doctrine's emphasis on preventive war and global democratization has come to define right-wing foreign policy to many Americans, and to nearly all Europeans. This misimpression has been heightened by the willingness of most conservative journals in this country to swallow their misgivings and follow the administration in its impromptu pursuit of democracy in Iraq. Yet conservative objections, not all of them honorable, reassert themselves in the wake of Iraq's intractable difficulties—and the American voters' impatience with the whole scene.

What does it signify, then, to demand that Republicans return to the conservative path? It's time for conservatives to admit the need to rethink and clarify their own precepts. To be sure, there are verities to which the wise and good may always repair, and conservatism is distinguished by its reverence for them. But these must be relearned in every generation, restated in the idiom of life, and applied to new circumstances. The challenge is as exhilarating as it is serious. Far from being a cause for despair, conservatism's perplexities may contribute to making this the most illuminating political season in 30 years.

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C O R R E S P O N D E N C E

ACADEMIC FREEDOM

Is liberty too frail to withstand the attacks of its ideological opponents? Hillsdale College President Larry Arnn appears to think so ("Why the GOP is Flunking Higher Education," Fall 2006). Dr. Arnn's critique of Republican plans for higher education makes important points against the feeble relativism that some call freedom. But the alternative he offers—indoctrinating students to appreciate the American political system—would transform any university that attempted to adopt it into a propaganda agency. Better to let ideas compete than to stifle debate. While it is worthy to inculcate the principles of our heritage, that cannot be accomplished through indoctrination.

Arnn notes that Republicans have taken most of their ideas on the topic of academic freedom from David Horowitz's proposed "Academic Bill of Rights." Arnn is right to criticize these academic ideals as thin gruel. The university Horowitz envisions would be a timid and gray place where professors nervously cited ideas of other scholars or made cautious asser-

tions of their own without ever daring to suggest that anyone, living or dead, was right—least of all themselves.

Arnn is wrong, however, to trace Horowitz's relativism back to the 1915 *General Report* of the American Association of University Professors. Although Horowitz himself cites the *Report* as his inspiration, there is nothing in the *Report* to support Horowitz's extreme claims about the impossibility of objective knowledge. Instead, the *Report* eloquently describes the responsibilities that come with academic freedom. "The claim to freedom of teaching," the *Report* states,

is made in the interest of integrity and of the progress of scientific inquiry; it is, therefore, only those who carry on their work in the temper of the scientific inquirer who may justly assert this claim. The liberty of the scholar within the university to set forth his conclusions, be they what they may, is conditioned by their being conclusions gained by a scholar's method and held in a scholar's spirit; that is to say, they must be the fruits of competent and patient and sincere inquiry, and they should be set forth with dignity, courtesy, and temperateness of language.

Here we have clear guidelines for negotiating the uneven ground between a professor's authority and the right of students to consider ideas other than the professor's views. Far from promoting relativism, the *Report* demands that professors and students take into account the world beyond the classroom and seek rational argument or empirical verification to justify all claims. Universities that adhere to this standard are open to reasoned debate but free to examine

and expose all ideologies. It is also their duty to reprimand ideologues whose assertions are an obvious affront to facts and reason. The University of Colorado was fully justified in firing Ward Churchill, the professor who outrageously claimed that the victims of the World Trade Center attacks deserved their fate. No rational person could blame anyone in those buildings—from waiters at Windows on the World to firefighters struggling to save lives—for this terrorist outrage. Instead of firing Churchill for dispensing with any pretense of scientific or rational demeanor in his assertion and thus flagrantly violating his academic responsibilities, the Trustees of the University of Colorado dismissed him for plagiarism. If one were to follow Horowitz's line, any objections to Churchill's statements must be regarded as "subjective and opinion-based" for, according to Horowitz, "there are no 'correct' answers to important issues."

For some reason Arnn dismisses the *Report* as the first step into relativism. Perhaps he is put off by the *Report's* intellectual liberalism. But American universities have no business indoctrinating students; the Third Reich exposed this obscenity. Universities can still rely on the principles laid down in the 1915 *General Report* as a way to educate students about "the true doctrines of Liberty" that Arnn admires. We should not disparage these principles, but should instead encourage members of university Boards of Trustees courageously to enforce them. Academic freedom coupled with academic responsibility, not indoctrination, is still the best educator of free women and men.

John Silber
President Emeritus
Boston University

Larry Arnn has done an excellent job in cataloging and con-

fronting the crises facing American higher education. Our universities have indeed become bizarre combinations of subjectivity and indoctrination, but Arnn's solutions—that we "return control of college to private people" and refocus on the Western canon—don't address the fundamental structural defect that renders reform of higher education impossible. Internal faculty governance creates the ultimate insider/outsider problem.

In American higher education today, faculty members dictate hiring, firing, and promotion of junior colleagues; curriculum design and the division of courses into requirements and electives; the acceptability of contributed articles to prestigious journals; the appropriate paths for research in their fields; and the availability of public and private research funding. Academia is an area without near-term market criteria. As a result, all evaluations rest upon reputation and peer approval.

Responsibility for directing academic research and discourse in a given field rests with an internal komissariat charged with promoting and extending the field's orthodoxy. Tenure, faculty governance, and peer review all create a central-planning mentality, where anointed leaders set agendas, junior aspirants vie to nudge those agendas along increasingly extreme tangents, and rewards flow to those who most impress the respected insiders. All other opinions are irrelevant.

Those of us who long for a confrontation must acknowledge that most proposed reforms risk creating different, and potentially greater, problems. If we cannot trust academics to make sound judgments about their own institutions, then whom can we trust? Some suggest the marketplace. Yet in the absence of short-term criteria for assessing customer satisfaction, success, or value, simple market mechanisms

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may prove inadequate. We cannot fix American higher education until we confront these structural issues.

Bruce Abramson
San Francisco, CA

Larry P. Arnn replies:

I cannot answer Mr. Abramson very well, because I like his letter too much. So I thank him. I thank President Silber, a distinguished man, for his attention and will answer him.

I dispute the *General Report* of 1915 for its pretense and its purpose. It pretends to establish a final concord among all the parties, so at last they may all, lion and lamb, lie down together. Meanwhile it leads a revolt and establishes an empire.

For a millennium or so, the university was at its best a place where nature was observed, its meaning debated, and the young instructed in its ways. The good, the true, and the beautiful were sought and cultivated. Their relationship to the divine was explored and disputed. The excellences proper to each thing were examined. The question of good gave direction to the university and was the reason the best of the young could be entrusted to it. To see a picture of how this worked in America, I refer the reader to Calvin Coolidge's autobiography, where he writes of Amherst and his Professor Garman.

The old university was interested in freedom, especially academic freedom. Its first heroes in this regard were Socrates facing his jury, and Aristotle preferring the truth to his friends (and so becoming worthy of the best kind of friendship). The one case was a dispute with power, the other among pursuers of wisdom. This freedom to have these disputes, written in the nature of all men and the special calling of some, was inseparable from the human good.

This, by the way, is what I mean by orthodoxy.

In the modern university, nature is not the subject but the opponent. It is not to be understood,

but mastered. John Dewey, head of the AAUP at the time of the writing of the *General Report*, admired Francis Bacon's expression, "torturing nature." That is why, in the *General Report*, the university now has three main purposes, not two. There was always thinking and teaching; now there is also leading the society along paths of "social evolution," which "no person of intelligence" doubts it must and will travel. The purpose of the university is creation and invention rather than comprehension and understanding. Its first interest is power.

Under the principles of this movement the university has lost the common purpose implied in its name. Now it is a place of specialization. The economists and political scientists reconstruct society; historians, the past. Philosophers reconstruct nature, which seems to exist only in the mind, if the mind exists. Each is sovereign in his field and obliged in return to create and tell the rest of us about it. Now the parts of the university come together not in wisdom or its love, but in public policies and projects.

These vast changes are made in the name of democracy and the good of the people. The *General Report* permits ordinary folk, including parents and members of college boards, to refuse the policy demands of the university. But the activity of making those demands is sacred and any other purpose of the university is not legitimately a public purpose. Even appeals for funds to private parties are suspect unless they are in the name of this activity.

The elevation of this activity does not breed independence and the energetic spirit of liberty, nor commitment to principle. It teaches us instead to wait for the next thing, ready to discard the old thing and obey. To see how this works, read Harvey Mansfield's "Have it Your Way," on the new Harvard common curriculum (*Wall Street Journal*, November 16, 2006). If we do not obey, the university gets mad. To see how this works, watch as Univer-

sity of Michigan President Mary Sue Coleman pours contempt on Michigan voters because they do not want her to hire and admit by color.

Certainly this way of organizing things has been successful in advancing our technical ability. The modern sciences have demonstrated a way of knowing that is marvelous to behold and awesome in effect. So far as I can tell, Dewey concluded that the application of the methods of modern science to human affairs would win similar success.

It has not and it cannot. No matter how powerful the technical dynamo, a certain kind of question cannot be answered technically. Perhaps we will soon be able to make a new "human" out of elements gathered from the earth and the stars and each other. This will present us with the question previously reserved to God: how should we make him (or her, or it)? Having deprived ourselves of the standards both of nature and of God, we will be hard put to come up with an answer that carries any sanction but our own will. Some of us at least will want to make them slaves. Why not? Why not for food, if we have the taste for it?

We have become more powerful than our fathers, but we have not thought as much as they about how to use power.

President Silber raises the question of whether I think the principles of liberty are frail. Perhaps he means that only as a taunt, but let me answer. I do think them frail. All about us they are giving way to violence and suppression. Abroad, they are suppressed by tyrants with the violence that tyrants use. At home, they are suppressed by this vast structure of the new university and the government it has made, with its focus not on ends but on means, not on principles but on power. I expect the principles of liberty can stand up in debate, and so long as there are human beings they will not disappear from view. But if we do not resist, the debate will be extinguished in our time. Let us then resist.

THE CURE FOR WHAT AILS US

Mark Helprin proposes that the Avian Flu's pending threat be countered by increasing the federal research drip from \$3.8 billion per year to \$100 billion or more, while simultaneously creating, by government fiat, new research centers and modularized field hospitals, increased medical school output, and so on ("The Worst Generation Faces the Greatest Peril," Fall 2006).

And yet Helprin's candid allusions to bureaucratic failure in New Orleans, Western Samoa, and aboard the USS *Pittsburgh*, coupled with the lethal admission that "politicians [and, one presumes, most government bureaucrats] are afraid to lead, risk, or fail," sap his bold policy recommendations. By contrast, he notes that it was a private pharmaceutical firm that produced the single most "important advance" against Avian Flu.

The creation of large-scale government programs to address every perceived peril contributes mightily to America being a "short-sighted, infantilized, and dependent" nation. Helprin decries this development, yet touts its cause, notwithstanding. His least ambitious policy prescription—to "unleash and encourage the great drug combinations"—is the one most worthy of adoption. Experience teaches that the pursuit of entrepreneurial incentives is the most reliable means for stimulating the rapid and efficient development of all things, including effective medical treatments.

James A. Montanye
Falls Church, VA

Mark Helprin replies:

If "the pursuit of entrepreneurial incentives is the most reliable means for stimulating the rapid and efficient development of all things, including medical treatments," why hasn't it brought the United States

to a state of readiness for an Avian Flu pandemic that, if it strikes, will burn its way through the population, perhaps killing millions, in a matter of months? Because, at the moment, there is no market for any of the medicines or facilities that would be necessary for survival. In fact, those private companies that are engaged in this work have been brought to it by either government appropriations or the promise of them.

Some things, in fact, private enterprise does not handle as well as government, or handle well at all, particularly things like war, in which—unless you are Robert McNamara or Donald Rumsfeld—strategy must trump economy and the rational bases of business and production. The founders and their inheritors understood and understand that government's first calling—especially in times of emergency—is the preservation of the sovereignty and civil order upon which everything else rests. Not to be clear about this is a foolish self-indulgence.

BOOM AND BUST

Robert Collins's review of Richard Reeves's biography of Ronald Reagan was excellent, but it repeats a ghastly canard frequently found among the East Coast conservative establishment ("Respecting Reagan," Fall 2006). Collins refers to "an unprecedented two-decade-long economic boom." Which two decades exactly? During George H. W. Bush's presidency there was a serious recession. A lot of savings and loans went down, and had to be bailed out. The values of commercial and industrial property plummeted, and even California coastal residential property decreased in value. The aerospace industry, following the end of the Cold War, tanked. Riots broke out in the streets of Los Angeles. Graffiti was more abundant than ever before or since. Bill Clinton ran for president declaring, "It's the economy, stupid," and won. Several important Republican business leaders in California en-

dorsed him, essentially destroying Reagan's California. In 1995 the economy did move into another boom, with the Internet and media driving it, and real estate values began to rise again. It is true that the recession of the early '90s had, for some reason, only a minor effect on the stock market, but one cannot deny that it happened.

Howard Ahmanson
Irvine, CA

Robert M. Collins replies:

Howard Ahmanson makes a fair point: the eight-month-long contraction of the economy in 1990-91 was costly in several political and economic respects, and certainly deserves attention. Although the downturn was shorter in duration than the postwar average, unemployment remained stubbornly stuck at over 7% even after the recovery was underway in the run-up to the 1992 election, making "It's the economy, stupid" a potent rallying cry and successful electoral strategy. But the fact that the recession was sandwiched between the longest peacetime economic expansion in U.S. history to that date (92 months from 1982 to 1990), and the longest absolute economic expansion in U.S. history (120 months from 1991 to 2001), seems to me to justify my conclusion that Reaganomics helped to create "an unprecedented two-decade-long economic boom" at the end of the 20th century.

PREEMPTION AND DEMOCRACY

It does not surprise me that John Yoo, an architect of the most authoritarian administration in recent history, does not understand democracy ("The Pettifoggery of War," Fall 2006). He faults me for trying to begin a discussion about adapting our old jurisprudence to the new reality of preemption without providing all the answers. He claims that after setting out

the factors that should inform this new jurisprudence, I throw up my hands and withdraw. Not quite. I say quite clearly that the decision about how to "strike this magical balance between Bentham and Kant" must in a democracy be made by the people. That is not abdication of responsibility; it is allocation of responsibility. I quite deliberately did not try to answer the normative questions, but rather to create a framework by which these questions can be answered in a democratic society. But I guess that's the last thing John Yoo would want.

Alan Dershowitz
Cambridge, MA

John Yoo replies:

One nice feature of Alan Dershowitz's last book is that it avoided the usual ad hominem attacks. Unfortunately, old habits die hard.

It is mystifying that Dershowitz thinks my criticism represents some kind of anti-democratic attitude. It seems to me that if he were really interested in participating in democracy he would indicate how he, or any other citizen, should decide these difficult questions. His answer is rather like writing a book on American fiscal policy, but then concluding without any advice about budgets or spending or taxes other than "let the people decide." This is an intellectual cop-out.

ISRAEL AND AMERICAN INTERESTS

Mark Helprin's essay, "The War in Lebanon," offers no optimism about the outcome of the Israeli attack on Hezbollah (Fall 2006). The Israeli Army and Air Force did not inflict a decisive defeat on the terrorists. There can be no doubt that when the time is right these same terrorists will launch further provocative attacks to which Israel will have to reply, garnering further condemnation from those

who wish Israel ill and those who see Israel as the principal obstacle to peace in the Middle East.

Hezbollah struck Israel with the evident support of its regional sponsors in Damascus and Tehran—and with a nod and a wink from Moscow and Beijing, whose interests in the Middle East are much served by Syria, Iran, and Hezbollah.

A full-page ad in the *New York Times* (November 5, 2006) asked, "Who is Holding Peace Hostage?" The answer: "The Israeli Lobby [in the United States] is trying to sell another war." The ad explained, "[T]he work of the Israeli Lobby on Congress and the Bush administration has been a key factor for going to war in Iraq and for confronting Iran." The Israeli Lobby, we are told, now seeks "the destruction of Lebanon." The ad promotes "[c]hanging perceptions of the U.S.-Israel relationship," that is, decoupling the United States from the defense of Israel.

It is not inconceivable that under the color of liberal sentiment, the United States will abandon Israel in order "to give peace a chance." The temptation to accede to the demands of modern extremists—that Israel be destroyed, thereby relieving the U.S. of their animus—is deceptively attractive. Presented as serving our best interests, it might become inevitable. Buying the world's good will with the sacrifice of Israel would be like France and England leaving Czechoslovakia to its fate to purchase peace in Europe in 1939. Prime Minister Chamberlain's appeal to Hitler's good will granted the dictator the strategic advantage he required to seize Western Europe from the North Cape to the Mediterranean.

Accepting the destruction of Israel will only allow the Palestinian Arabs and their allies to do in the rest of the Middle East and North Africa what has already been done in Lebanon: bring the peace that comes with the rule of terrorists. And whose interests will that serve?

Harold W. Rood
Manchester, CA

Mark Helprin replies:

Mr. Rood's statement that I "offer no optimism about the outcome of the Israeli attack on Hezbollah" does not comport with the substance of my article, which was that Israel won rather than lost the recent war in Lebanon, and that to think otherwise is to overlook both the strategic details and the broader historical continuum in which Israel has always fought to survive. Having been more or less alone in the opinion that Israel, not Hezbollah, was the victor, I'm surprised that Mr. Rood misinterpreted the tenor of the essay. As for the rest of his letter, although I would say it much differently, I agree with it.

REMEMBERING THE HUNGARIAN REVOLUTION

How refreshing to read Peter Schramm's story of his family's immigration to the U.S., and to learn how his passion for American politics and for philosophy were united in his work at the Claremont Institute ("Born American, But in the Wrong Place," Fall 2006). I admire the risks taken by all freedom-loving Hungarians in 1956. My father was among them as a young man of 27. He had received his medical degree (*summa cum laude*) two weeks prior to the Russian invasion. That he was able to come to the U.S. is a privilege I do not take lightly. I was born just after his mother's death in 1964, and was given her name. My father was only able to return to Hungary (as an American citizen) for the first time in 1967. I hope that my life can live up to the responsibility of citizenry given to us, to help ensure that our freedoms remain. Mr. Schramm expresses our pride to be American and reminds the

next generation of their responsibilities, too.

Margit C. Kaltenekker Hall
De Soto, KS

My early life is identical to Peter Schramm's story except that I was 6, my father was one of the revolutionaries, and during our escape he was captured and later executed. We made it to America, were placed in an army barracks, and with the help of a church got a start in a Newark apartment. As an adult, I chose to go into business and have been blessed with great financial and personal success because of the generosity and freedoms offered by this great land.

Thomas Marennyi
Raleigh, NC

REBEL GRAVES

In his review of Eric Foner's *Forever Free*, Jean Edward Smith writes that "rebel dead are not interred in cemeteries maintained by the United States" ("A People's History of Reconstruction," Fall 2006). In fact, as a gesture of reconciliation, Congress authorized in 1900 a section of the Arlington National Cemetery to be set aside for the burial of Confederate dead. Four hundred eighty-two such Confederate dead—both military and civilian—are buried in this section.

Al Bowers
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THE COLORBLIND CONSTITUTION

Richard E. Morgan writes that the 14th Amendment did not "embody Justice Harlan's princi-

ple of colorblindness" although "it should have" ("Correspondence," Summer 2006). One wonders, however, what Senator Jacob Howard, one of the principal architects of the amendment, could have meant when he argued on the floor of the Senate that "the great object of the first section of the amendment...is to disable a State from depriving any person, whoever he may be, of life, liberty, and property without due process of law, or from denying to him the equal protection of the laws.... This," Howard continued,

abolishes all class legislation in the States and does away with the injustice of subjecting one caste of persons to a code not applicable to another.... Is it not time... that we extend to the black man...equal protection of the laws? Ought not the time to be now passed when one measure of justice is meted out to a member of one caste while another of a different measure is meted out to the member of another caste, both castes being alike of the United States, both bound to obey the same laws, to sustain the burdens of the same Government, and both equally responsible to justice and to God for the deeds done in the body?

Clearly Howard understood the Equal Protection Clause as mandating the end of class legislation based on race—"colorblindness." There is nothing equivocal about his words, nor, I believe, about the meaning of the Equal Protection Clause. The rule of law simply cannot tolerate racial class legislation. This idea was expressed so frequently by so many of the amendment's supporters that it is difficult to believe that they did not intend "colorblindness" to be

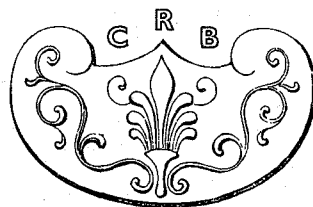
the Equal Protection Clause's animating principle.

There were also frequent calls throughout the debates to bring the Constitution finally into harmony with the principles of the Declaration of Independence. All but the diehard adherents of Stephen A. Douglas and John C. Calhoun agreed that the Declaration was colorblind—certainly Lincoln believed so and no one can doubt that his spirit is embodied in the 14th Amendment.

In 1857 Lincoln said the Declaration was a "standard maxim" and that its framers "meant simply to declare the right, so that the enforcement of it might follow as fast as circumstances should permit." I believe this was also the view of the framers of the 14th Amendment. They did not believe that the amendment would create a colorblind society—that was beyond their power and probably beyond anyone's power. But they could uphold a colorblind constitution that would become the guide and standard for the nation's political life, so that sooner or later practice would conform to constitutional principles.

The 14th Amendment's framers were as much statesmen as were the American Founders and Lincoln. Their goal—and the goal of all statesmen—was to eliminate as much evil as possible under the circumstances without undermining the basis from which further evil could be abolished. Sometimes statesmen know that it is necessary to conceal the full reach of the principles they advocate to make them acceptable, intending that their full extent will be known only at some future time when public opinion is better prepared to accept the innovations.

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UNGRATEFUL VOLCANO

Book Review by Joseph Tartakovsky

The Foreigner's Gift: The Americans, the Arabs, and the Iraqis in Iraq,
by Fouad Ajami. Free Press, 400 pages, \$26

IN SOMERSET MAUGHAM'S STORY "THE Outstation," an administrator in colonial Malay named Warburton enjoys a gin and bitters on his veranda, every afternoon, at six o'clock on the dot. He then puts on a boiled shirt and high collar under a white dinner jacket and heads to his meal, which is served at a table set with orchids and silver. British imperial rule, to believe Maugham, seemed so easy, so harmonious with its subjects, so dignified, even just. Fouad Ajami reminds us in *The Foreigner's Gift* that the British also tried their imperial hand in Iraq, from 1921 to 1932. "When we have made Mesopotamia a model state," a colonial official remarked at the time, "there is not an Arab of Syria and Palestine who wouldn't want to be part of it."

By the time U.S. forces arrived in Mesopotamia, one monarchy, two wars, three coups, and roughly fourscore years later, there were few places an Arab of Syria and Palestine wanted less to be part of. A ruined Iraq, March 2003, is where Ajami's tale begins, and there is no one more qualified to tell it. What distinguishes this book from the late sandstorm of volumes on Iraq is that Ajami is at once a graceful writer and a man steeped in the ways of the Arab world. Raised in Beirut, he speaks Arabic as his native tongue. As professor of Middle East studies at the Johns Hopkins University School for Advanced International

Studies, he is on intimate terms with Arabic journalism and scholarship. *The Foreigner's Gift*, a mixture of travel memoir, history, and political reflection, is a thoughtful and occasionally vivid *tour d'horizon* of post-invasion Iraq, written after the author's six trips there beginning in October 2003.

We accompany Ajami as he travels around the country in convoys and helicopters, through palm groves and hot airless deserts; we see him eat and converse in fragrant gardens, under starlit skies, or in rocky Kurdish highlands dusted with snow. The book is largely based on Ajami's personal contacts with an impressive variety of Iraqi holy men, government ministers, poets, tribal leaders, and businessmen, as well as American military and political figures. He is on friendly terms with key players, from Ahmad Chalabi and Jalal Talabani to Paul Wolfowitz and General David Petraeus, nearly all of whom come across as able, intelligent, and well-intentioned. The dramatis personae include lesser figures like young Marines or exiled ex-Baathists, of whom Ajami offers quick, shrewd sketches, many of them poignant. The most fascinating encounter is with the powerful Grand Ayatollah al-Sistani, who Ajami finds to be moderate, subtle, half-mystical, and solicitous of his country's well-being.

Ajami announces on his first page that he wishes to be "forthright" about his views.

To him the war in Iraq is a "noble" war that emerged from a "deep American frustration" with the Arab world's "dominant culture and malignancies." He means the culture that glories in the 9/11 attacks while denying responsibility for them; the extremism that characterizes not a fringe, but most of the political and intellectual firmament; the crackling rage that, in response to a cartoon or a suspect sentence in a speech, will draw hysterical, fist-shaking mobs into the street, ready to burn flags, cars, embassies, churches, and human beings; the unbroken chain of tyranny that stretches from the Gulf to Libya; the fact that each year the entire Arab world translates fewer books than Greece; the self-pitying, pathological obsession with Israel. To all this add Baathism under the swaggering tribalist Saddam Hussein, and you had, in Iraq, the worst of the worst.

THE WAR, INITIALLY, WAS NOT ABOUT democracy; it was about "something more limited but important and achievable in its own way: a state less lethal to its own people and to the lands and peoples around it." Ajami is not concerned that Iraq had no WMDs; nor is he agitated over whether Saddam had ties to al-Qaeda. Americans believed these things and we are where we are. As time went on the war increasingly became an attempt to rebuild Iraq from the ground up;

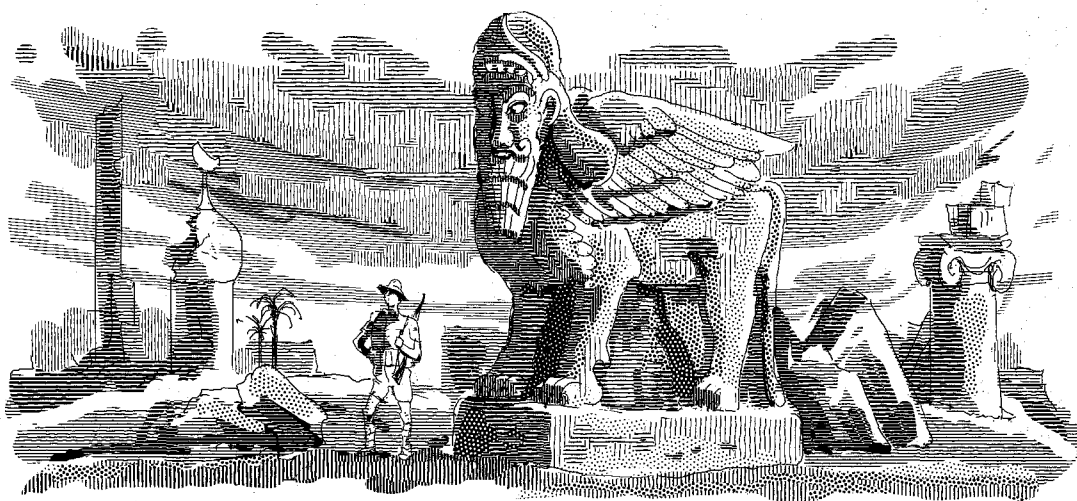
if nothing else, to undo Baathism's damage, to permit new oxygen in, to allow the possibility of something better—and to shake up the region. In undertaking this, he says, "America rolled history's dice." He has not given up on this "leap of faith." It is, he thinks, a necessary gamble.

That doesn't mean he's confident it will pay off. For such a stalwart, influential supporter of the war effort, his portrait of Iraq is astonishingly pessimistic. The violence grows ever worse; the people are riven by sectarianism; the government bled by corruption; the ministries and police forces infiltrated by insurgent sympathizers, who convey the whereabouts of officials to deadly effect. Iraqis who yearn for order are no match for the Baathists and al-Qaedaists, who hack away at this basic human dream. As measures of the mayhem, he observes that Iraqi soldiers wear masks to hide their identities, and cabinet ministers, fearing for their lives, spend months hiding in foreign hotels.

The book brims with colorful anecdotes, and Ajami hails the positive developments that he claims now ripple through the region as if from a "stone thrown into the pond"—the Lebanese defiance of Syria, for example, or Libya's decision to disband its weapons program. Unlike most new books on Iraq, this one is refreshingly free from scandal and recrimination. But none of this relieves the book's gloom. After a few bleak chapters, one longs to turn the page to find, "A Sunni, a Shia, and a Kurd walk into a bar...." But the closest Ajami comes to the upbeat is a kind of portentous, mystical equivocation that is woven through the book: "There is light in Iraq, and there is darkness."

With such an engrossing story to tell, it is a pity the volume is so poorly organized. It does not proceed chronologically, or with much sense of forward motion. Instead it reads like a pastiche of mostly undated vignettes and reflections, as if the pages of a diary had come loose and been carelessly reshuffled. His interlocutors are introduced, disappear, and re-emerge a hundred pages later, in the same context, with information that could have been felicitously introduced earlier. It is often unclear on which trip an observation was made, which can make it hard for the reader to discern what he most desires to know: are things in Iraq getting better or worse?

NONETHELESS, THE DARK TREND IS clear. Ajami writes of the "exhilaration" after the fall of Saddam's statue on April 9, 2003. By the time of the elections in January 2005, "fewer and fewer Americans liked what they saw of Iraq and Iraqis; there were even conservatives now, former supporters of the war, writing off the surly, violent country they saw on their television screens." Ajami gives no indication that he thinks the decline in support has slowed. The grievous violence is one cause of American disenchantment. But, worse, Americans have seen their troops topple a dictator, fix potholes, pave highways, build sewage plants, fill libraries with books, open universities, administer millions of vaccinations, sponsor a flourishing free press, midwife a consensual republic, unstintingly give their lives—and yet there is scarcely a murmur of gratitude for their "foreigner's gift."



"There was gratitude for the Americans," a Kurdish leader assures him, "but there was not enough honesty to admit it." Iraqis are a proud people and they have their needs, too. Ajami writes of them with keen sympathy, not overlooking their tribalism, phobias, and truculence. He insists that you cannot expect habits of liberty from a nation that has swung suddenly from Baathism to the wildest anarchy. The literary and political elites with whom he consorts, by contrast, appear wise and gracious. They dearly wish to redeem Iraq, but the country is so lawless and ungovernable that they may never get the chance. He reflects on the thanklessness of *their* task: "No Iraqi poet was likely to sit down to write stirring poetry celebrating the transfer of sovereignty from the Coalition Provisional Authority to the interim government of Prime Minister Iyad Allawi."

Ajami's preoccupation with Iraq's governing class arises from his interest in the nature of rule itself, his great theme. His reflections on this are the book's most interesting contribution to the literature of post-invasion Iraq. He

discusses at length the character of Baathist rule, various forms of Arab rule, American rule, and imperial rule generally. In his telling, everything hinges on the rulers—a clique of Baathists ruined the country, and a clique of embattled Iraqi democrats must save it now. He also contrasts American sovereignty in Iraq with that over Japan in the 1940s. Japan surrendered; the Baathists and their Sunni sympathizers never did. The Kurds and Shia never felt responsible for the regime in the first place. Japan was not surrounded by two dozen other ethnic Japanese states urging it to resist the invaders. Nor does he believe America is the place it was at mid-century. Back then it was free from the "doubts of a more modern world, its cultural relativism, its embarrassment with outright alien rule."

A part of Ajami's forthrightness, his candor, is to write unblushingly of American "dominion" in Iraq. The war's "architects," as he puts it, saw Iraq as a chance to "construct a new American imperium in Araby." He certainly regards the American imperium as benign; but what really sets him apart from most commentators is that he thinks in terms of ruling and being ruled at all. He cites an Iraqi diplomat who observes that "it is proper to speak of an American Iraq as one does of a Sumerian, a Babylonian, an Abbasid, an Ottoman, and then a British Iraq. The time of the Americans...is destined to be exceedingly short but of great impact."

When British tenure in Iraq began, the empire's colonial secretary was none other than Winston Churchill. It was he who installed the first Hashemite king. "I am deeply concerned about Iraq," he wrote in 1922. "There is scarcely a single newspaper—Tory, Liberal, or Labour—which is not consistently hostile to our remaining in this country.... At present we are paying eight million a year for the privilege of living on an ungrateful volcano." Fouad Ajami seems to look at America's venture in Iraq much as Churchill looked at Britain's 84 years ago. This is not to say he is disillusioned with the war, for he never had any illusions to begin with. He always knew that Mesopotamia might never become a model state. But he still insists that "there can be no doubting the nobility of the effort" to make it one.

Joseph Tartakovsky is assistant editor of the Claremont Review of Books.



Book Review by Christopher Hitchens

THEATER OF WAR

The Greatest Story Ever Sold: The Decline and Fall of Truth From 9/11 to Katrina,
by Frank Rich. The Penguin Press, 304 pages, \$25.95



A SMALL BUT SIGNIFICANT SENTENCE occurs in one of the early chapters of this book: "Like the 'lovely war' the British foresaw in the early going of World War I, the illusion of a painless engagement in Iraq was short-lived."

Now, it is true that some British jingoists believed that the combat begun on August 4, 1914, would be "all over by Christmas," and that this early euphoria forms a small part of the tragic sense with which that catastrophe has been imbued ever since. But the concept of a "lovely war" is derived from a musical satire of stage and screen, dating from the 1960s and deftly staged by some English radicals. (Oh! *What a Lovely War* was the title; it was actually based on a book called *The Donkeys* by the Tory historian Alan Clark, son of the Lord Clark who authored the *Civilization* series.) Mr. Frank Rich began his career as a theater critic: Broadway is his milieu. It comes naturally to him, perhaps, to conflate a world-historical calamity with a catchy tune from a subsequent smash-hit, and then to cleverly re-deploy the idea to ridicule "Shock and Awe." The problem is that his book is supposed to be a critique of showbiz values in public life. But, with its Hollywood-echo title, it is instead an example of how universal those very values have now become.

Suppose, for a thought experiment, I picture what Frank Rich might have said about the war led by the first President Bush to recover Kuwait from its annexation by Saddam Hussein. It

was never made very clear quite what this war was, as they say, "about." At one point we were told it was to restore the pre-existing territorial borders of Kuwait—a subject which the Bush Administration had previously said could not constitute a *casus belli*. So Secretary of State James Baker, then as now the glass of fashion and the mold of form for all "realists," came out and said that the war was for "jobs"—a shot in the arm for the American economy. The vulgarity of this appearing excessive, it was determined that Saddam Hussein was another Hitler who had gassed "his own" people. But once one has announced that someone is another Hitler, further coexistence with him becomes impossible, and the overthrow of his regime is morally necessitated. However, there was no international or U.N. warrant for the removal of the Saddam Hussein system (which indeed was eventually confirmed in power by General Norman Schwarzkopf). I vividly remember saying to the late Peter Jennings, as we journeyed toward the Gulf on the eve of hostilities, that the measure of success would now be, not the recovery of Kuwait, but the replacement of the Ba'athist order. And I shall never forget his response, which was, journalist to journalist: "That's only true if we say so."

Once the war was over, the U.N. inspectors discovered something that has been erased from many memories. Saddam Hussein had built an enormous secret nuclear reactor at Tuwaitha, and had acquired most of the elements

of a nuclear weapon. Had he waited to develop this, and only then moved to take Kuwait, that small yet incredibly wealthy country would be a part of Iraq to this day, and we would all be living—as, unknowingly, we did then—partly at the pleasure of a psychopathic dictator. Accommodations would soon enough have been made to this reality by many powers, perhaps including our own.

BUT THE WEAPONS HAD NOT BEEN PART of the justification for the war! So they did not "really" count. Imagine what fun Mr. Rich could have had, gaily pointing out the inconsistencies and hypocrisies of the administration's position. At one point, Colin Powell had gone before the cameras and shown aerial photography of Iraqi troops on the Saudi border, as if poised to take the greatest oilfields of all. This alarmist story turned out to be a canard. At still another stage, trained Kuwaiti witnesses were brought to Capitol Hill and coached to tell a tear-jerking tale about babies torn from incubators in a hospital and left to die on the floor. This, too, was soon exposed as a piece of atrocity propaganda. It was almost too easy to point up the absurdities and exaggerations of the Bush Administration's case. I know this very well, because I used to do it myself and was even somewhat celebrated for doing so, until I took a slightly closer look at Iraq and became mightily impressed by what a menace its despotism had become, to its own subjects,

to the region, and to the world beyond. At this point, the contours of an inescapable eventual confrontation with Saddam became more important to me than rating the dubious PR skills of a Republican White House.

Rich prefers the latter task and is, in his way, quite an accomplished reviewer. He seems to have watched an absolutely extraordinary amount of television, and to have retained most of what he absorbed. And he's very deft at employing the standards of this medium while pretending simultaneously to decry them. Thus: "As the reigning cliché had it, 2002 was the *Seinfeld* election—an election about nothing." I don't remember this being the reigning cliché and I have never seen an episode of *Seinfeld*, but that the show itself was about nothing I do not for a moment doubt. With much else of Rich's TV reviewing I am inclined to agree also: there certainly ought to be more fighting and more bloodshed shown on our screens, and it ought still to be possible to see the scenes of mass incineration from September 11, 2001, as well. Let us by all means not "sanitize" anything, let alone euphemize it. I would change the name of the Defense Department back to the War Department right away, for example, and perhaps Rich would even support me here.

Or perhaps not. If I have it right, the special signature of today's media-savvy writer is his or her capacity for "irony." (This noble and elusive term has now been reduced to a signature wink, or display of the fingertips as if to signal quotation marks, though conceivably that is better than nothing.) However, the supposedly ironic Mr. Rich can be determinedly literal-minded when the exigencies of his political position demand it:

Even the villain at hand, Saddam Hussein, remained a vague figure from stock, since the specific history of his reign of terror got far less airtime than the tacky décor of his palaces. When Torie Clarke said in a Pentagon briefing that Saddam was responsible for "decades and decades and decades of torture and oppression the likes of which I think the world has not ever seen before," few journalists were going to gainsay the Pentagon mouthpiece by bringing up Hitler and Stalin.

See how high his standards are? Unless the Pentagon can find a briefer who in unscripted remarks can put Iraqi Ba'athism in its exact historical context, the Pentagon's position is as trivial and evanescent as the "airtime" which merely concentrates on palace décor. I personally doubt that there were many members of the Defense Department press corps who could have taken Ms. Clarke up on the point, but then I doubt that Rich could tell us much about the

ideological debt of the Ba'ath Party to both Nazism and Stalinism, either. So does he mean to say that there is no proper comparison, or that Clarke was wrong to imply one? Of course he would not dare venture so far. Thus the potential "seriousness" of his own point becomes just another part of the media wallpaper: a cheap and easy observation made for no better reason than to pass the time.

Any fool can have great fun with the ineptitudes of departmental spokesmen (and once again, I speak as one who knows). Rich has been thundering on for years now about the supposedly chilling and oppressive effect of Ari Fleischer's admonition, a few days after September 11, 2001, that people should "watch what they say." He alludes to this terrifying moment several times in these pages, putting the most literal construction on the hasty but decent reply of a powerless and meek official, who was attempting to fend off questions about the bigotry of a Republican backwoodsman and the spurious moral equivalences of Bill Maher. I have written about the whole context of this non-episode elsewhere (see *Slate* magazine, September 11, 2006, if you are curious) but for now I will simply say that if you sometimes find the responses of public officials at press conferences to be stupid or inarticulate, you should always make a point of looking up the original journalistic questions.

FOR ANOTHER INSTANCE OF RICH'S pseudo-forensic style, you might try the following:

"I don't think we ever said—at least I know I didn't say that there was a direct connection between September the 11th and Saddam Hussein," Bush said in the spring of 2006. That is technically true, but it is really just truthiness: Bush struck 9/11 like a gong in every fear-instilling speech about Iraq he could.

Now, "truthiness" is a laugh-word invented by Steven Colbert who (along with his friend Jon Stewart and the other heroes of Comedy Central) is the *beau idéal* of what Rich considers to be the ironic. In this book and in his regular column, he gives "truthiness" a workout whenever he can. He clearly wishes he had coined it himself, and he has kept it going for perhaps a touch longer—may I hint?—than even Colbert might wish. Let us examine it in the present case. The administration did not, in point of fact and as Rich concedes, ever make the case that Saddam Hussein had sponsored the assault of 9/11. It did, however, strongly imply that he might have an interest in, or enthusiasm for, this kind of activity. And many Americans

when polled were found to suspect him of an even more direct connection. Well, Saddam Hussein had sheltered the Iraqi-American fugitive who mixed the chemicals for the 1993 attack on the World Trade Center. He had allowed the internationally-wanted criminal Abu Nidal to use Baghdad as his headquarters. He had boasted of paying a bounty to the suicide-murderers of Hamas and Islamic Jihad. The man who hijacked the *Achille Lauro* cruise ship, a certain Abu Abbas, who was responsible for rolling Leon Klinghoffer in his wheelchair off the vessel's deck and into the Mediterranean, had to be released when apprehended because he was traveling on an Iraqi passport. A diplomatic passport. The Baghdad state-run press had exulted at the revenge taken on America on 9/11. This does not exhaust the "truthiness" of the suggestion that Saddam Hussein might have to be taken seriously as a sponsor of nihilistic violence. Could one even suggest that those who thought so might be intuitively and even objectively wiser than those who thought it crass to mention Saddam Hussein and "terrorism" in the same breath? Not without being jeered at by Rich, who either does not know any of the above facts or who chooses not to include any of them in his proudly truth-centered narrative.

It would be good to have a demotic word for the way in which journalism, commentary, "spin," and official propaganda converge, though I think "truthiness" would be too feeble to cover it. All that the term does is to condense what we already "know," which is that perception trumps reality as often as not. Rich himself gives a fine illustration of the point when he idly says that Michael Moore's entirely mendacious film *Fahrenheit 9/11*, which mobilized Democrats and liberals behind a completely fictitious account of events, was both a "movie eviscerating Bush" and "an instant media sensation." His stale phrasing comprises one very smelly value-judgment—the president was not in fact "eviscerated" by this contemptible movie, which surely cannot be praised even faintly by anyone with the smallest regard for veracity—as well as one statement of near-fact which is almost true by definition. As Peter Jennings might have put it, if the *New York Times* describes something as "an instant media sensation," then an instant media sensation is what it becomes. But who's the "truthy" one here?

AS IF SENSING THE NEED FOR A CHANGE of cultural pace, Rich turns off the TV at the midpoint of his book, and snatches up a work of fiction:

A month before the election, the country's mood was captured with startling acuity

in a newly published Philip Roth novel, *The Plot Against America*. The book's resonance with ongoing events may have been part of the reason why it became Roth's biggest seller in years, joining a bestseller shelf crowded with books about George W. Bush.

Note the easy, near-automatic way in which—like movies these days—books are reviewed according to their initial sales. But Roth's book is about Charles Lindbergh. How does it "join a bestseller shelf crowded with books about George W. Bush"? Well, that's easy. Lindbergh could fly a plane, was a Christian, had a populist manner when it suited him. He is also (and here I switch tenses out of respect for the novel form, because now he's being fictionally portrayed by Roth as a might-have-been president) a fear-monger and an invoker of "national security." That does it. Bush to the life! I cannot be absolutely sure that Rich has even bothered to observe the difference between the actual Bush and the hypothetical Roosevelt who is defeated by the hypothetical Lindbergh. (Nor can I be certain if he really thinks that a national "mood" can be "captured with startling acuity.") But it will always remain the case that Lindbergh and his anti-Semitic "America First" movement accused Franklin Roosevelt of scaring the nation into a war, and of being prepared to promulgate falsehoods in order to do so. Indeed, two of the most prominent figures of today's anti-war movement, Gore Vidal and Patrick J. Buchanan, remain strikingly loyal to the memory of Lindbergh and accuse the president of staging a new Pearl Harbor to stampede us into a war

in which Israeli (as they sometimes remember to put it) interests are paramount. If Rich was going to discuss Roth at all, as a writer or as a counterfactual historian, he would have had to notice that the isolationists of today are, as they were yesterday, the foes of regime change. But why trouble to make the effort, when one can scan the reviews of the reviews and call the result cultural criticism?

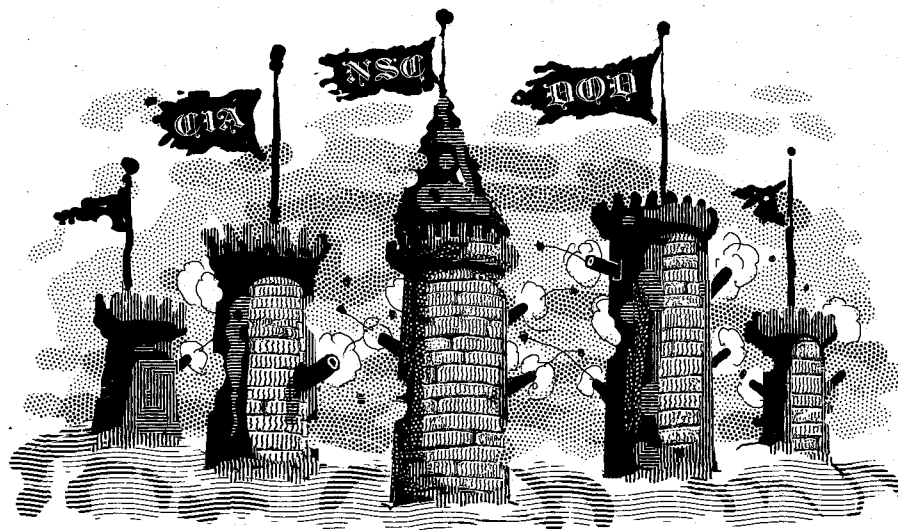
FRANK RICH IS AN EXPERT ON THE WAYS in which a deadline or a news-cycle can make all the difference, and on the advantage that this knowledge can give to those who "spin." He is an adept when it comes to such Washington tricks-of-the-trade as the official passing out of unwelcome news late on Fridays or early on Saturdays (though he never seems to ask himself why the press keeps falling for this obvious and notorious trick). So it is amusing to be able to say that he himself falls a hapless victim to the difference between quotidian journalism and even the most instant type of book-publishing. Readers of these pages will have noticed that, toward the end of summer 2006, the greatest white whale-hunt ever mounted was shamefacedly called off. Nothing has been heard lately of the grand White House plot to unmask and destroy the innocent Valerie Plame and her Galahad, the fearless Joseph Wilson. The story went from *grand peur* to yawn in no time flat. Alas this bathos came too late to rescue the book under review, which went to press while many, many reporters still scented the scandal of a lifetime, or at the very least of a career. It then became widely known that the man who disclosed the identity of Ms. Plame to

Robert Novak was Mr. Richard Armitage—a consecrated opponent of the then-policy of "regime change" and democratization in the Middle East, whose role goes unmentioned here. Should you ever wish to recover the atmosphere of hectic conspiracy-mongering that pervaded the press in those days, and overrode even the most basic rules of evidence or analysis, here it all is, as if preserved in amber. Best of all is the knowing way in which Rich talks of matters that are well beyond his ken: "The leaks, in time-honored fashion, went to the reporters the White House judged most reliably sympathetic: Woodward, Miller, Novak, in that order of preference and chronology." Not really: Woodward and Miller never even wrote the story, and Novak (who did) is one of the most dedicated opponents of the Iraq war in print, as well as an admirer of the CIA, a sometime foe of Israel, and a partisan of Joseph Wilson's. From his pen we eventually learned what had long been obvious, or obvious to anyone not intoxicated by hatred of the White House, which is that he had approached the authorities and not the other way around. A goodly chunk of Rich's book, and of the portentous and padded "time-line" section that makes up a great part of it, is rendered entirely nugatory thereby. The remainder can stand as an instance of the weed-like spread of second-order media phenomena such as "truthiness," and as a warning to those who suppose that the profound can be deduced from an intense but myopic scrutiny of the superficial.

Christopher Hitchens is a columnist for Vanity Fair and the author most recently of Thomas Jefferson: Author of America (HarperCollins).

STRATEGICALLY CHALLENGED

State of Denial: Bush at War, Part III, by Bob Woodward.
Simon & Schuster, 576 pages, \$30



THIS BOOK DOCUMENTS HOW PRESIDENT George W. Bush and his principal advisors fumbled with the realities of the war in Iraq, and how the corridor games of this presidential court produced “denial” of its own failures. The reader will find much about the fumble, but little about those realities, and even less about the intellectual and moral mechanisms of the fumbling and denial. But to those personally acquainted with at least some of the characters, the book rings true. To those who are not, it is at least a valuable insight into the devolution of America’s foreign policy establishment.

Bob Woodward questions cleverly. His books are interesting above all because of his unrivaled access to Washington’s inner circles. Appearance in Woodward’s books or articles is a status symbol for Washington officials—Woodward *dixit*, ergo *sum*. Because power players can count on Woodward to tell their story to the world, they line up at Father Bob’s to confess their rivals’ sins. Hence Woodward is a conduit more for narratives than for leaks. He draws his portraits of his high-level sources primarily through their own words.

Press accounts have given the impression that this book—the third in a series on the Bush team’s handling of events post-9/11—is “critical,” whereas the others were “laudatory.” But the differences reflect primarily changes in the sources’ attitudes and the fact that for this book Woodward interviewed second- and third-level officials, as well as principals. Among the new sources are Prince Bandar, the longtime Saudi

ambassador and confidant of the Bush family, and Lieutenant General (Ret.) Jay Garner, Bush’s original chargé for postwar Iraq. Like many others, they were eager to shed responsibility for the administration’s policies. Few acknowledge paternity for defeat.

The occupation of Iraq did not produce the results its authors expected. Woodward knows that the officials he interviewed have not the foggiest idea how to achieve those results, that nevertheless they do not deem them unachievable, and that they cannot think of others they could achieve that would be good for America. *Ipsa facto*, they are incompetent. But Woodward does not tell us what competence is. His characters are obviously dysfunctional. But the reader must supply the bases for comparison.

WHEREAS THE FIRST BOOK IN THIS series covered the administration’s understanding of the war on terror in general (see “Confusion and Power,” *CRB*, Spring 2003) and the second focused on the planning for the 2003 invasion of Iraq, this one focuses on the U.S. occupation of Iraq. Like the others, it consists of hundreds of brief reports of conversations, events, and documents. Because neither the pieces nor the chapters bear any relation to one another, the reader experiences something like a fast-moving slide show, arranged in rough chronological order. Woodward might argue, correctly, that reality unfolds in this disjointed way, that this is how reporters experience it, and that historians impose more

order on events than their contingent character warrants. Whatever Woodward intended, he produces neither a history nor a coherent critique, but rather a set of notes and portraits—the raw materials for critical history.

He quotes candidate George W. Bush as telling Bandar—sent by the senior Bush to teach his son about the world—“I don’t have the foggiest idea about what I think about international, foreign policy.” He seems to have had few ideas about anything. Karen Hughes, his “communications czar,” remembers him asking her to come up with a central theme for his campaign: “There has to be a compelling reason to run.” He expressed surprise to find himself running on tax cuts. Elected, he told Karl Rove: “I want a plan of action.” His reasoning had to come from others, and this would make him easy prey for those authorized to advise him.

Bandar, for example, was someone to whom Bush was supposed to listen—and he did. On August 27, 2001, Bandar threatened that Saudi Arabia would not take “into account American interests anymore because...the United States [is] adopting [Ariel] Sharon’s policy.” This was a vague, impotent threat, which any competent diplomat would have discounted. But it was enough to cause Bush to set aside longstanding U.S. policy and instantly support an independent Palestinian state. No surprise, then, that a man who campaigned against U.S. involvement in “nation building” ended up staking his country—never mind his presidency—on building Iraq.

Bush seems either to accept uncritically whatever he is told or to refuse to listen. When, on September 12, 2001, CIA director George Tenet equated terrorism with al-Qaeda, "game, set and match," when he assured the president that the case that Saddam had WMDs was a "slam dunk," Bush did not ask, "How do you know?" Similarly, when Tenet assured him that the CIA could not confirm that Saddam had "authority, direction and control" over anti-U.S. terrorist activities, Bush did not say, "Why should anybody care whether Saddam's con-

trol of terrorism meets an arbitrary standard of stringency? Does it not make more sense to look at how his intelligence service is infiltrating, influencing, and inspiring terrorists, not to mention harboring and financing them?"

THE FRATRICIDAL RELATIONSHIP BETWEEN the administration's various person-ages and departments is perhaps the most salient feature of Woodward's account. He describes ad nauseam the resentments and machinations against Secretary of Defense

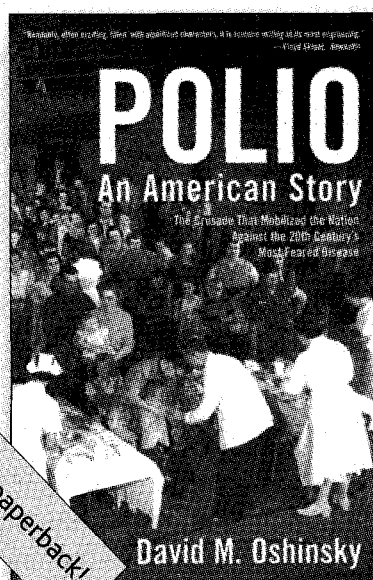
Donald Rumsfeld by the State Department and CIA, sometimes joined by the NSC staff and even by the president's chief of staff. He describes copiously Rumsfeld's own bureaucratic highhandedness. And of course the CIA waged open warfare against the president. Secretary of State Colin Powell and his deputy Richard Armitage were not so open but just as disloyal. While some of the bones of contention were petty, others were vital. Should America run Iraq at all? If so, who should run it? What should we be willing, and unwilling, to do to get our way? Should American troops impose the preferred order of one of Iraq's warring sides on the others; or America's order on all; or should it just protect the State Department's effort to reconcile and build? Who are America's enemies there? What precisely is the mission? Do the means match the mission? Bush's subordinates pulled in different directions while skirting the hard questions. Again and again, Bush told them to "work it out" among themselves; but working it out was his job.

As one or another official tells Woodward of an impossible situation, a senseless directive, a mistake made, a disaster looming, he asks something like, "When you were with the president, did you tell him these things?" Invariably, the answer is no. Bush's style—faux frat-house familiarity toward people from whom he, in turn, demands formality—practically guaranteed pleasant superficiality: "some upbeat stories, exaggerated good news, and a good time was had by all." Still, although Bush did not encourage hard truths, he did not forbid them. The supporting cast of fumbler shares responsibility for skirting reality, if not denying it.

George Tenet, for example, revealed to Woodward that on July 10, 2001, he had warned the president through Condoleezza Rice that al-Qaeda was about to strike the U.S. He expressed anguish that the Bush White House had foolishly neglected his salvific warning. Woodward, however, drew Tenet out on the "intelligence" that had prompted the "warning." He reports that it was a hodgepodge of inherently meaningless traffic—what Tenet's counterterrorism chief, J. Cofer Black, called "voodoo." Many press accounts of Woodward's book played up Tenet's charge, thus furthering CIA's longstanding campaign against the Bush Administration. The president seems to have questioned the CIA less competently than did Woodward.

Deputy Secretary of State Richard Armitage, "a mountain of a man," projected intimidation. He made no secret of his disdain for Bush, and especially for people at Defense and NSC. Always ready to undercut policies that did not suit him, this bully nonetheless *never* gave the president his unvarnished opinions. Bush did not ask, and so endured the subversion.

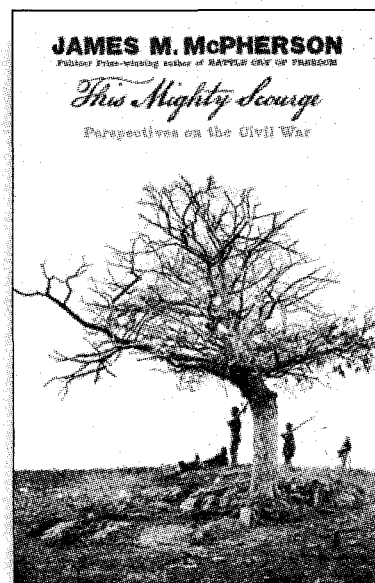
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Donald Rumsfeld, who enjoyed wholesale and retail control of his department, as well as the president's total confidence, knew that the U.S. political and military missions in Iraq worked at cross-purposes—but never told his president, nor did he suggest his own plan for victory. Ferocious defender of his place in the chain of command, he protected his part of the mission and insisted that the other parts—and the failing whole—were none of his business. Like, or even more than, the other courtiers, Woodward's Rumsfeld is about getting the maximum deference while giving the minimum—and substance be damned. Echoing Rumsfeld, General John Abizaid, the U.S. commander in Iraq, replied to the question, "What's the strategy for winning?" with "That's not my job." It appears to be no one's.

Condoleezza Rice, National Security Advisor and then Secretary of State, cuts a small figure. Recruited by Bush père as another teacher for his son, she became his facilitator. Potentially powerful because the president is disposed to deem her authoritative, and because her connection with him is familial, nevertheless she proved perhaps the weakest (one of Woodward's sources suggests "the worst") person ever in her position. Having no agenda of her own, awed by Vice President Cheney, Rumsfeld, and Powell, and devoted to the president, she tried to please and support all. When asked hard questions such as, to whom do we give power in Iraq, she would not answer—perhaps in order not to make decisions that her president had not, and would not make. Though Vice President Cheney declined to be interviewed for this volume, the judgment of all who have worked with him—which Woodward shares, as do I—is that he does not contradict his boss. The courtiers pass the buck up, and the president passes it down again.

THE BUSH TEAM'S IRAQ IS NOT ON THE Tigris and Euphrates, but on the Potomac (with an extension in Baghdad's Green Zone). The contrasting ambitions of U.S. officials turn Mesopotamian reality into a fantasy. In this fantasy Iraq, the fight (leaving over 2,800 Americans dead, 20,000 wounded, and more than 60,000 Iraqi civilians killed) is between "the terrorists" (al-Qaeda and a few Sunni allies) and an Iraqi people that yearns for democracy and unity. Equally dangerous are the militias of the Shiites and Kurds, which would make Iraq, respectively, a theocracy and a disunited, failed state. Either would lead to its becoming a haven for terrorists. Hence America must defeat the Sunni insurgents

while preventing the victory of their Shiite and Kurdish enemies. If American troops were not fighting the terrorists in Iraq, the terrorists would be coming to kill us in America. (The argument requires us to believe that the Iraqis who are massacring one another would prefer to kill Americans. If so, why don't they abandon Iraq, where they face our troops, and come feast on our suburbanites?) Hence we must win by building a moderate, united Iraq.

In truth, just about nobody in Iraq wants the "united, democratic Iraq" that the Bush team wants. As for terrorism, it is the political currency of the region. All sides use it. And the sides' objectives differ. Kurds want to be left alone. Shiites once wanted to dominate Iraq, but now just want to be left alone. Robert Blackwill, who headed Bush's Iraq team in Washington, offered the Sunnis "status and privileges consistent with their roles and number in Iraqi society." They answered, in effect: "You don't understand. We want to run Iraq." That is why they made war. But the Bush team did not understand. It never decided to make war on them, or on any concrete set of persons, only on abstractions. The only way to realize the Bush team's vision would have been forcibly to overcome the preferences of nearly all Iraqis—to quash all their dreams alike. But the Bush team is neither prepared to force Iraqis into its preferred mold nor, rhetoric aside, to let them determine their future. So its "nation building" operations in fantasy Iraq amount to spitting weakly against strong winds—a project messy, undignified, and counterproductive.

And so, while American public discourse oscillates between more or less perseverance in nation building, State Department and CIA officials enjoy ruling and manipulating and giving out contracts in Iraq. Senior military officers build their careers, don't think of victory, can't wait to leave, and try to minimize their troops' exposure, while the troops themselves die primarily from roadside bombs.

THE WORDS "STATE OF DENIAL" IMPLY either psychological disorder or mendacity. But Woodward's interviews document incompetence. Incompetence begins with the corruption of language.

Consider "intelligence." Simply put, CIA passes off opinion, speculation, and hearsay as knowledge. Woodward's quotation from George Tenet concerning foreign services, "We created the Jordanian intelligence service and now we own it," shows CIA's shocking ignorance, imprudence, and gullibility. Tenet

supposes that foreign officers (whose lives and fortunes, as well as possibly their affections, are tied to their countries) put CIA's interests above their own. On what planet? Having mentioned that CIA's information on terrorism comes almost exclusively from intercepts and foreign intelligence services, Woodward points out that intercepts are necessarily halves of conversations, mostly between people we do not know who are in the middle of discussing subjects about which the analysts can only guess. But the White House treats guesses as gospel.

Consider "strategy." Schools and dictionaries teach that it is the intellectual connection between ends and means, a concrete plan for getting from here to there with a given set of means. The U.S. government, it turns out, has a 500-page document, classified SECRET/NOFORN, titled "The Strategy for Iraq." It consists of general statements about what we want to happen, and mostly of a list of U.S. programs. But it does not explain why A will produce B. Hence members of the Bush team are quoted complaining of a lack of strategy. In June 2005, Stephen Hadley, the National Security Advisor, had "assigned his NSC director for Iraq... to comb through the classified documents that he thought outlined their strategy and see what could be made public...." The document was given the title "National Strategy for Victory in Iraq." Bush spoke around the country under a banner proclaiming "Strategy for Victory." But it was more wishes, and the same programs. Nothing in between.

This is no mere intellectual inadequacy. By 2005 it had become clear that the ever deadlier roadside bombs that were killing the majority of U.S. troops were coming from Iran. Philip Zelikow, Rice's Counselor at the State Department, the man who directed the 9/11 commission, recognized that this "was arguably an act of war by Iran against the United States." But he told Woodward, "If we start putting out everything we know about these things...the Administration might well start a fire it couldn't put out." In other words, this administration will pretend that Iran (and Syria for that matter) is not waging war against America, because it is afraid to fight that war. But to project the illusion of strength, it keeps our troops in war's way.

Thus it invites more war.

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Book Review by Gerard Alexander

BLAME AMERICA FIRST

America Against the World: How We Are Different and Why We Are Disliked,
by Andrew Kohut and Bruce Stokes. Times Books, 288 pages, \$25

Friendly Fire: Losing Friends and Making Enemies in the Anti-American Century,
by Julia Sweig. PublicAffairs, 272 pages, \$25

A GOOGLE SEARCH IN 2005 FOR THE term “anti-Americanism” reportedly turned up 280,000 hits. When I tried the same thing recently, Google came back with 2,790,000 hits. Growing almost tenfold in a year, the anti-American industry flourishes, on and off the web. Americans now routinely acknowledge—only occasionally in pride—that their country is the object of scorn around the world.

Two new books seek to explain the phenomenon, and they arrive at basically the same answers. To Andrew Kohut and Bruce Stokes in *America Against the World*, and to Julia Sweig in *Friendly Fire*, anti-Americanism is a relatively straightforward issue, born of American misbehavior and power, and with a straightforward solution: change U.S. policies. In fact, however, it turns out that it's simply not clear what anti-Americanism means, what causes it, or even how much it matters. We know the basic storyline. After 9/11, Americans had the world's sympathy. But as the Bush Administration began to pursue a more unilateralist policy the world reacted with dismay and frustration and, after the U.S. invaded Iraq, with fear and loathing. The Pew Global Attitudes Project, which interviewed more than 91,000 people in over four dozen countries between 2002 and 2005, tracked the world's change in views. Kohut, the head of the Pew Research Center, and his co-author Stokes (a *National Journal* columnist and consultant to Pew) have compiled the results into a book that tries to explain “why we are disliked.” The authors are motivated by the fact that the “gap between how we see ourselves and how others see us has become a chasm,” which they would like to bridge.

Kohut and Stokes offer interesting survey results on many subjects, including the image Americans have of themselves and of others, as well as the world's image of the United States.

But their book turns on the question of what is causing anti-Americanism. They are open to the notion that some perceptions of America are exaggerations or even outright misperceptions. But their consistent claim is that anti-Americanism is a reaction to American power and policies. “Much of the discontent that we have documented can be attributed to criticisms of U.S. policies, especially the war in Iraq,” they write. “In addition, there is strong resentment and suspicion of America's unrivaled power in the post-Cold War world,” including the in-

ist, and militaristic policies before taking them global after the end of the Cold War. So in her view we shouldn't be surprised that anti-Americanism went global too, spreading from Latin America to Europe to the Middle East and beyond. Sweig doubts that image-mongering will make us popular, since it's difficult to see how “government-sponsored public diplomacy can ever come to substitute for policies that are perceived as fair and lawful.” Her culminating simile is that the U.S. is like the greedy, friendless, Dickensian villain, for whom improvement must come from within.

This line of argument has clear policy implications. If current anti-Americanism is a reaction to U.S. behavior, then global public opinion might improve if we trimmed some of America's sails, possibly in economic and trade as well as political and military matters. And even if anti-Americanism derives merely from U.S. power, Americans would still be wise to assume a much lower profile. In either case, if anti-Americanism is fundamentally reactive, then the problem is over here, not over there.



fluence of U.S. popular culture and nominally “American” business practices that are reshaping workplaces and labor forces worldwide. Muslims especially resent U.S. support for Israel. And “people around the world—particularly in Western Europe and the Middle East—are anxious about the consequences of America's exercise of its unrivaled military might.”

Julia Sweig makes the case even more emphatically that anti-Americanism is a relatively straightforward reaction to “the cumulative legacy of past policy failures” of the United States. Sweig is director of Latin America Studies at the Council on Foreign Relations. On the book's dust jacket she reminds us that in Latin America, “we sponsored dictatorships, turned a blind eye to killing squads, and tolerated the subversion of democracy.” She argues that in Latin America the United States test-drove and perfected its hegemonic, unilateral-

BUT THERE ARE GOOD REASONS TO question such simplistic cause-and-effect analysis. First, if anti-Americanism is a response to U.S. behavior, and if anti-Americanism is pervasive today, then the recent U.S. record must be bad, indeed. Reading Sweig, you'd think so. Her treatment of U.S. behavior during the Cold War lists familiar transgressions: the Guatemalan coup, Salvador Allende, Ferdinand Marcos, Vietnam. But she doesn't take into account the full array of U.S. policies. For example, she does not describe the hundreds of billions of dollars that Americans have spent on foreign aid, individually and through their government. In fact, her book's index doesn't even have an entry for the Agency for International Development or for U.S. development assistance in any other form. She

also neglects the fact that U.S. universities have enrolled hundreds of thousands if not millions of students from the developing world, many on scholarships.

Nor does she discuss America's aggressive promotion of democracy in Latin America in the 1980s and '90s; so it's perhaps no surprise that her index doesn't include an entry for the National Endowment for Democracy, either. Even more amazing for a scholar of Latin America, Sweig doesn't linger on the fact that the United States has allowed tens of millions of immigrants to enter its labor market, legally and illegally, immigrants who send billions of dollars back home in remittances. In many developing countries, these remittances are not just indispensable household income but one of the largest sources of foreign exchange. But remittances, too, don't merit an entry in Sweig's index, and she mentions them in the text only when Washington is rumored to have threatened them.

Massive foreign aid, large-scale educational assistance, two decades of strong democratic support, one of the largest human migrations in history, and the financial backflow from that migration—these are pretty sizable things to leave out of a study of U.S. policy toward the developing world. Especially for a book whose index *does* have entries for Cindy Sheehan, Valerie Plame, Enron, and Hurricane Katrina.

Blind spots like these call into question the core argument of both of these books. If attitudes toward the United States are a relatively straightforward reaction to U.S. policies, then given our record of "good" deeds alongside "bad" ones, shouldn't the world's view of America be similarly mixed, rather than relentlessly negative? Also, anti-Americanism seems to have been growing since the 1990s, the very years when U.S. support for dictatorships was declining, when U.S. official development assistance and private charitable aid flows were growing, when the U.S. market was more open than ever to the developing-world's exports, and when more students than ever were being educated in U.S. schools. This strongly suggests that something must be influencing how U.S. policies are interpreted by foreign observers, and neither Sweig nor Kohut and Stokes shed any light on that. Of course, this also suggests that a mere change in U.S. policies will not automatically result in less anti-Americanism.

The cause-and-effect hypothesis of these two books can be tested from another angle as well. If anti-Americanism is essentially a response to U.S. policies, and if anti-Americanism is more pervasive than the animus directed against any other country, then U.S. policies must be

much worse than those of other states. Is that really true? Anti-Americanism last peaked in the 1980s. At that time, the Soviet Union was supporting astonishingly brutal Communist regimes in almost every region of the world, ones that crushed Polish workers and starved Ethiopian peasants to death. In the same years and in some of the same cases, dictators in the developing world were brutalizing their own countrymen, often without any U.S. support at all. Syria's regime alone killed perhaps 20,000 civilians in 1982. More recently, the North Korean regime has starved its population, Islamist radicals have inflicted terrible violence on fellow Muslims, and political factions in the former Zaire are responsible for the deaths of over four million innocents. If you recall large-scale protests against any of these countries and regimes—and I don't mean a handful of picketers in front of an embassy—you have a better memory than I do.

One might ask, too, how other Western countries fit into the cause-and-effect story. Presumably Kohut and Stokes, and Sweig, would not say that the jihadis' pervasive *anti-Westernism* is attributable to the Netherlands' aggressive unilateralism, France's advocacy of free trade, or Spain's unrivaled post-Cold War power. At least in the case of jihadi animosity, something other than reacting-to-America is clearly going on.

We can see that "something" operating in Sweig's own pages. For example, she mentions Abu Ghraib only as a place where U.S. forces abused prisoners, not as one where Saddam massacred them in vastly larger numbers. Sweig's chapter on Latin America criticizes political repression and economic exploitation in the region, including Cuba before 1959. But she is uninterested in domestic Cuban events after 1959, when repression and exploitation were Soviet-backed and opposed by the U.S. Presumably this isn't because Sweig thinks Castro's Cuba is democratic or healthy economically. It's because one-sidedness is intellectually acceptable in these debates. The question is why it's acceptable.

One possibility is ideology or mental "frames." (Just because Berkeley professor George Lakoff says frames are important doesn't mean they're not.) A particular frame or belief may lead people to dismiss America's benevolent actions, exaggerate her bad ones while minimizing the sins of others, interpret benevolent U.S. actions as sins, or even view U.S. inaction as a crime. But it's crucial to realize that if it's ideology that is mediating people's perceptions of American behavior, then changing U.S. behavior may have little or no effect on the world supply of anti-Americanism.

THERE'S ONE FINAL POINT TO BE CONSIDERED. The two books under review take anti-American rhetoric at face value and treat it as sincere, while ignoring the fact that many of the people who decry America in speech don't do so in deed. In short, a lot of anti-Americanism may be just cheap talk. Kohut and Stokes provide an example. They report that "three in five Europeans surveyed in 2004 agreed that 'Europe must acquire more military power to be able to protect its interests separately from the United States.'" But then: "Even though most Europeans balked at increasing defense spending to become more powerful militarily." This is the very definition of cheap talk.

In the same way, many Europeans regularly tell pollsters that they perceive the United States as a major threat to world peace—fully comparable to Iran, say. But in their defense planning, Europeans worry infinitely less about America's sizable, existing nuclear arsenal than they do about Iran's gathering one or al-Qaeda's hypothetical one. It's almost as if they *know* that, despite their hyperbole, Washington has no aggressive designs on them. Or consider that the residents of Belgrade in 1999, and those of Baghdad in 2003, walked the streets during NATO and Coalition bombing campaigns. It's almost as if, despite heated rhetoric about indiscriminate violence and genocide, they knew full well that Western governments go to extraordinary lengths to protect civilians. Sunni Arabs who decry U.S. perfidy and abusiveness simultaneously fear that American troops will leave Iraq precipitously, exposing them to the tender mercies of their Shia and Kurdish countrymen. It's almost as if they detect in American troops a civilized restraint. The U.S. now hosts well over 34 million foreign-born residents and the waiting-lists for entry are long. It's almost as if, despite all the complaints of discrimination, people around the world detect opportunity and hospitality here.

Sometimes actions speak louder than words—or at least they should. Anti-Americanism is one such instance. If we observe how the world actually behaves toward the United States, rather than what they say about us, it would appear that people see America for what it really is—not a perfect society, to be sure, but most certainly a humane and decent one. Americans continue to have the sense that their country is unusual among the nations of the world. There is extensive evidence that others, too, perceive it as exceptional and act accordingly.

Gerard Alexander is associate professor of political science at the University of Virginia and a visiting scholar at the American Enterprise Institute.

Book Review by Patrick Chamorel

L'AMÉRICAIN

Témoignage, by Nicolas Sarkozy. French edition: XO Editions, 288 pages, €16,90
American edition: *Testimony*, Pantheon, \$26, forthcoming



WHEN FRANCE'S POLITICAL STAR and center-right presidential hopeful Nicolas Sarkozy suggested that his latest book be released in mid-summer, when all of France takes off to the beach, his publisher was skeptical. But Sarkozy was proven right: *Témoignage* [Testimony] became one of the summer's bestsellers. Such success is not merely a reflection of Sarkozy's celebrity, controversial ideas, and polarizing personality; nor is it due simply to timing—the April 2007 presidential election looms. It is a measure of the French electorate's state of despair and its yearning for new ideas and new directions.

Témoignage follows *Libre* [Free], a political autobiography written during Sarkozy's years in the political wilderness where he was exiled for having backed a Gaullist rival to Jacques Chirac, Sarkozy's former mentor, in the first round of the 1995 presidential election. His new book, however, avoids polemics and settling scores and barely touches upon his record as Minister of Interior and Minister of Finance, or his presidency of the UMP [Union for a Popular Movement], France's main center-right party. Rather, in *Témoignage*, Sarkozy offers an interpretation of France's malaise and sketches a way forward for his country, touching on such vexed questions as immigration, the welfare state, and foreign policy. His central idea is that France's political elites have failed their country by refusing to face reality and to institute necessary reforms.

In his view, what France faces is nothing less than a "crisis of democracy." (All translations from the book are my own.) That crisis has been compounded by the recent social and political upheavals that have shaken France—e.g., the extreme nationalist Jean-Marie Le Pen's second-place finish in the 2002 presidential election, the defeated referendum on the E.U. constitution, the riots in the *banlieues*, and youth demonstrations against labor flexibility.

Sarkozy identifies two causes of his country's persistent distress. The first is "a Right that apologizes for not being the Left." During his political exile in 1999-2001, Sarkozy became convinced that his center-right camp needed to redefine its core doctrine to bring it in line with other Western conservative parties. In his words, "Society wants to return to more traditional values on the Right and not to a Right that wants to be the Left." At the same time, he insists paradoxically that "progress is on the Right, conservatism on the Left." This intellectual and strategic breakthrough has allowed Sarkozy single-handedly to renew the style and content of French politics since 2002.

THE SECOND CAUSE OF THE FRENCH malaise is the inability of the country's political elites to devise, explain, and conduct reforms. France's problems keep getting worse, fueling the burgeoning sense of fatalism. Sarkozy's approach to immigration and assimilation, among the most difficult of these problems, can perhaps best be seen in how he

dealt one night with a *banlieue* beset by youth violence. Insulted by hundreds of hooligans, he led a police fight lasting several hours to recapture a lawless, no-go area. A Muslim woman called to him from her window: "Mr. Sarkozy, rid us of this scum [*racaille*]; we can't take it anymore." "Yes, Madam, this is what I am here for, I will rid you of this scum."

For weeks, the press never showed or mentioned the woman, as if "scum" was Sarkozy's own choice of word. The episode provoked a political uproar—and Sarkozy was accused of insulting youth, encouraging racism and xenophobia, and borrowing Le Pen's language and ideas. Far from apologizing, Sarkozy accused his critics of fueling political extremism.

The Left went so far as to charge Sarkozy with responsibility for the countrywide riots that followed weeks later. But *Témoignage* denounces the Left's "social" interpretation of these events, which insists that the rioters are victims of the police, racism, and society in general. The Left wanted Sarkozy and the police to leave the rioters alone, and for the state to increase public spending. It never crossed these critics' minds that the situation in the *banlieues* continues to deteriorate in spite of massive public spending over the years; or that the rioters burn the very schools, libraries, and sport facilities that the Left claims are too few.

Sarkozy can hardly be blamed for believing that massive immigration undermines integration. He has encouraged a policy tilted towards highly qualified and economically needed im-

migrants, and has sought to restrict family regroupings—the source of almost all legal immigration since the rise of unemployment in the mid-1970s. Although such policies have long been enforced elsewhere, in France the Left argues that family regrouping is a basic human right, and that preference for qualified workers is discriminatory and economically predatory.

Although he takes a conservative approach to immigration reform, Sarkozy takes a quasi-liberal approach to integration. Indeed, his most controversial proposal is to introduce a form of affirmative action. He is well aware of the challenge this would pose to French republican tradition—and of the objections the public would raise to importing American ideas and social policies. In fact, many Americans would find it odd that a policy that is being phased out in the U.S. would be embraced in France. But Sarkozy believes that America has been more successful than France in providing racial and ethnic minorities with economic opportunity. He insists that he opposes ethnic quotas but wants to find ways of helping the weakest in society.

One might disagree with Sarkozy on this; but he is no multiculturalist. He attacks the immigrants' lobbies and their far-left allies who seek to cast a shadow on French history. (These groups recently forced the cancellation of the 200th anniversary celebration of Napoleon's victory at Austerlitz, alleging that Napoleon had reestablished slavery.) The son of first- and second-generation immigrants, including a Jewish grandfather, Sarkozy says without apology: "Those who do not like France do not have to stay."

THE AUTHOR OF *TÉMOIGNAGE* ALSO urges an end to the Priority Education Zones (ZEP) in heavily immigrant areas. In spite of massive resources, these have become ghettos for immigrants and provide decidedly sub-standard education. Middle-class

families—and ironically the teachers in the ZEP themselves—have been pulling their children out. Sarkozy recommends dispersing immigrant children throughout the school system and providing them individual help if needed. He adamantly favors school choice, criticizing the socialists' rule that public schools get 80% of the funding and private ones 20% (their teachers are paid by the state), even though the latter are more popular. For Sarkozy, this is simply punishing what works.

But this bold call for a "rupture" with the French social model has triggered the greatest controversy. France suffers social ills and inequalities despite high taxes, deficits, and a bloated public sector and welfare state. In addition, it has been increasingly unable to create new wealth. The country combines the worst of the Anglo-Saxon and Scandinavian models with none of their benefits. Locked in a "tax and spend" mindset, the socialists still believe that the bigger and more interventionist the state, the more just the society, and vice versa. Sarkozy comments acidly: "the specialty of the French socialists has been to share wealth that does not exist."

He recommends something more like the American model, and insists on rehabilitating the work ethic. He would not rescind France's 35-hour workweek, but he would give workers the option to earn more by working more. He has promised higher pay and faster careers in the civil service, in exchange for replacing only half the civil servants who retire. "How can anyone have the foolish idea," he writes, "that more jobs and wealth would result from working less?"

Sarkozy embraces change in France's political institutions and foreign policy as well. He favors a presidential constitutional system in which the parliament would acquire stronger oversight powers to hold the more powerful

presidency accountable. He prefers compromises between the executive and the legislature rather than party government. In foreign policy, he might become the Gaullist who will put an end to the Gaullist legacy. He advocates a rapprochement with the United States and Israel, a united Europe that is not a counterweight to American power, and a European leadership that transcends the Franco-German alliance. He is unambiguously for globalization and for encouraging democratization throughout the world: "I do not believe in cultural relativism; human rights, freedom, and democracy are universal values to which all human beings aspire."

With such views on France's social model, the integration of immigrants, foreign policy, and political institutions, no wonder he is called "Sarkozy l'Américain" by his supporters and enemies alike (he takes it as a compliment!). By publicly addressing his temporary break-up with his wife last year and claiming there cannot be any separation between his public and private lives, he does indeed seem to be more American than French.

Sarkozy thinks of himself as more reform-minded than Valéry Giscard d'Estaing, François Mitterrand, and Chirac. In fact, he has much in common with de Gaulle: he favors a rupture with a failed past, social and political renewal, strong presidential leadership, and a strategy of movement. Unlike de Gaulle, however, he understands and espouses social change. He yearns, like Reagan, for conservative principles to inform an open economy and a vibrant society. Like de Gaulle, Reagan, and Thatcher, he refuses to acquiesce in his country's decline. But first, of course, Sarkozy has to win.

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COUNTING YOUR BLESSINGS

Historical Statistics of the United States, Millennial Edition, edited by Susan B. Carter, Scott Sigmund Gartner, Michael R. Haines, Alan L. Olmstead, Richard Sutch, and Gavin Wright. Cambridge University Press, 5,000 pages, \$990

HOW DID A COUNTRY OF 3.9 MILLION people, huddled mostly along the Atlantic coast of North America, become a giant nation of 300 million, spanning the North American continent and extending to the Pacific Ocean, in little more than 200 years? How did a country with more than 90% of its people on farms become the most prosperous, productive, inventive, ingenious, and economically diversified nation in the world? How did a people with only a limited military become the world's dominant superpower?

There are many ways to answer those questions. One way is with numbers. Statistics. One of my favorite sentences in the Constitution comes in Article I, Section 2: "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct." "Shall be made": Congress has no choice in the matter; it must provide for the taking of a census every ten years. By virtue of this clause the United States became the first modern nation to conduct a census at regular intervals; Britain imitated us, starting in 1801. We are a measuring people, fond of statistics, ever ready to cite one in argument. Statistics—numbers—help tell us who we are, and how we got here.

Which is reason to hail the publication of the Millennial Edition of the *Historical Statistics of the United States*. Many of us have been waiting for its appearance, as the two-volume *Historical Statistics of the United States, Colonial Times to 1970*, published by the Bureau of the Census in 1975, grows dog-eared on our shelves. The intention at the time was to publish new volumes every ten years. Alas, the framers had neglected to command that Congress shall cause such a publication to appear at regular intervals. So we have had to wait 31 years for Cambridge University Press to give us these five massive volumes. Unfortunately, they come with a Cambridge University Press price tag that will be beyond the means of

most potential readers, and they take up a lot of space on the shelf (although there is a version available online).

Let's look at some of the numbers. How did America grow from 3.9 million to (in 2000, the last year for statistics in this volume) 281 million? High fertility, for one thing. In every decade from the 1790s to the 1850s, the nation's population grew by at least 33% (I'm rounding off here as I will again, in the interest of comprehensibility). In the 1860s, the decade of the Civil War, it grew 23%. (Lucky

ciety, and our muted recovery since (aided in this instance by immigration).

IMMIGRATION IS COVERED EXHAUSTIVELY in the Millennial Edition, but so is internal migration, and much better than in the 1975 volume. This allowed me to make some calculations I wish I had been able to make while writing my book *Our Country: The Shaping of America from Roosevelt to Reagan* (1990). What I wanted to demonstrate in that book was that there had been a much vaster movement of international immigrants to the North—defined as the states outside the South—than of internal migrants from South to North. Now I've got some numbers to prove it. Take the 1930 census, the first decennial census after the immigration door was closed in 1924. Of the North's population in 1930, 12% was foreign born and 29% of foreign stock (i.e., with at least one foreign-born parent). In contrast, only 5% of the residents of the North were born in the South. This despite the fact, highlighted in *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (1986), a book by one of the Millennial Edition's editors-in-chief, Gavin Wright, that wages were twice as high in the North through all the decades after the Civil War. In contrast, the South was almost walled off. Only 7% of its residents in 1930 were foreign born or of foreign stock, and only 5% had been born in the North. Fully 92% were native-born Southerners. The numbers are an illustration of something we tend to forget today, that the North and the South were for many decades after the Civil War two almost foreign cultures, determined to have nothing to do with each other.

These numbers also show the huge migration of blacks from South to North from 1940 to 1965. There were only 1.46 million Southern-born blacks in the North in 1930, and that number increased to only 1.55 million in 1940. Then it zoomed upward—to 2.59 million in 1950, 3.26 million in 1960, and, with the migration tapering off at almost exactly the same time as the passage of the Voting Rights Act,

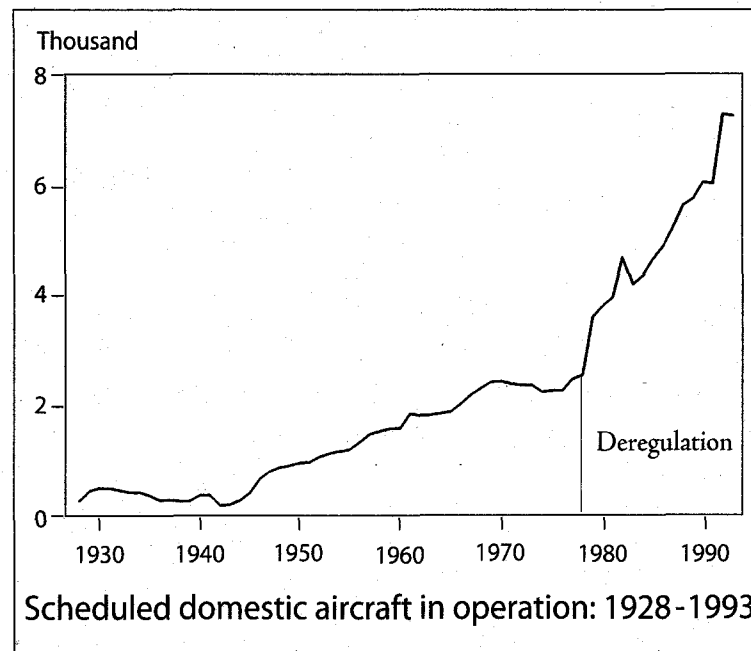


Figure Df-J from the *Historical Statistics of the United States: Millennial Edition*

that the 1860 census was taken before South Carolina seceded.) By the 1870s growth was up again to 30%. The average white woman in America in 1800 had seven children. The total white fertility rate, rounded off, was 7 births per woman in a lifetime from 1800 to 1830, 6 in 1840, 5 from 1850 to 1870, 4 from 1880 to 1900, 3 from 1910 to 1920, 2 in 1930 and 1940, 3 in 1950, 3.5 in 1960 (near the peak of the baby boom), 2.4 in 1970, 1.8 in 1980, 2 in 1990, and 2.1—the replacement rate—in 2000. This is evidence of a number of things: the amazing fecundity of early 19th-century America, the decline in fertility accompanying urbanization, the retreat to replacement rates in the Depression era, the profound demoralization in the 1970s when the values of the '60s generation spread to the larger so-

3.48 million in 1970. That rose to 4.27 million in 1980, then fell to 3.84 million in 1990. The clash of whites and Southern-born blacks in the big cities of the North was something I observed growing up in Detroit and while working for its mayor during the 1967 riot. Here you see numbers that suggest why two hitherto distant cultures collided so explosively.

You can find other momentous trends in the figures. Consider farms. Once nearly all Americans lived on farms; today very few do. For the first 40 years of the 20th century, the farm population remained pretty constant, hovering at over 30 million from 1910 to 1940. It plummeted during World War II, then continued falling to 24 million in 1945, 20 million in 1953, 12.4 million in 1965, 9.6 million in 1972, and 4.6 million in 1991, less than 2% of the total population. Or consider the coal industry. Coal employment peaked in the war year of 1942 (449,000); mechanization and the spread of oil heating cut it in half by 1954 (216,000); and it had an uptick in 1979 with the high energy prices that year (242,000). By 1993 it was down to 101,000 and in 1999 to 80,000—though we're taking more coal out of the earth than ever.

All these figures reveal the power of the free market as compared to the ukase of government. New Deal programs to stabilize the prices of crops and to boost coal miners' wages were part of a broad strategy to freeze the economy in place; the New Dealers, coming into office in a deflationary spiral, thought further growth was impossible and sought to keep everyone in his place. But it didn't work. We still have farm subsidies and labor laws intended to promote unions, but America has moved on.

IT'S HARD FOR GOVERNMENT STATISTICIANS to keep up. There's a lot to be said for compiling the same statistics year after year—but there's a danger that you'll keep measuring things that have ceased to be important, and will overlook things that have zoomed into prominence. The government has compiled huge volumes of statistics on manufacturing, in excruciating detail; but very little on services, though the latter are a much larger part of the economy today. The Millennial Edition tries, but can only do so much. Agriculture gets 267 pages

of statistics and explanations, manufacturing 132 pages, services 62 pages—with about half of them devoted to utilities and only one table on trade, finance, and services going back before 1929. (Why 1929? Because Herbert Hoover was a great fan of statistics and as Secretary of Commerce and then president was well positioned to start new series. Unfortunately, the numbers reflected badly on his presidency.) But you can't make up statistics you wish previous generations had gathered.

Besides, statistics that are compiled over too long a period stop measuring the same thing. Consider the gross national product. It wasn't calculated before 1929 (that year again). So the Millennial Edition gives us numbers that later economists have compiled for earlier years—

If peas become very expensive, we buy broccoli instead. In the 1970s and early 1980s, the Consumer Price Index overstated inflation because it assumed you refinanced your house every month. But when mortgage rates began running over 15%, no one took out a new mortgage if he could help it. As Virginia Postrel has pointed out, inflation indexes also have a hard time adjusting for improvements in quality. The laptop I'm writing on now is better than the one I wrote on last week (much better: the latter has gone to laptop heaven), and it cost me less in nominal dollars than its predecessor did three years ago. How can the CPI take that into account? The Bureau of Labor Statistics makes worthy efforts to do so. But they are doing Sisyphus's work. Reading statistics is not so much a science as an art.

It can also be fun. Consider potatoes. You would suppose that production of potatoes has grown at a rate more or less parallel to the growth of population. All of us eat potatoes regularly, don't we? Well, actually, potato production has not risen in proportion to our numbers. From 1900 to 1960, production of potatoes ran within a narrow range, between 184,000 thousand hundred-weight in the 1900s, to 235,000 in the 1950s. That's well below the level of population growth, and suggests that increasingly prosperous Americans were getting tired of boring old baked potatoes and were eating more meat. But then potato production started shooting upward, from 283,000 in the 1960s, to 332,000 in the 1970s,

357,000 in the 1980s, and an amazing 448,000 in the 1990s. Whom to credit (or blame)? I nominate Ray Kroc, who acquired McDonalds in 1955. He and his competitors super-sized the demand for French-fried potatoes and, by encouraging the production of frozen fries for use at home and abroad, increased the market for American-grown spuds. Ray Kroc's name does not appear in the Millennial Edition of the *Historical Statistics of the United States*. But it comes ringing out to you as you read and reflect for a moment on Table Da768-773. Peruse and enjoy.

Michael Barone is a senior writer for U.S. News & World Report and co-author of *The Almanac of American Politics* (National Journal Group).

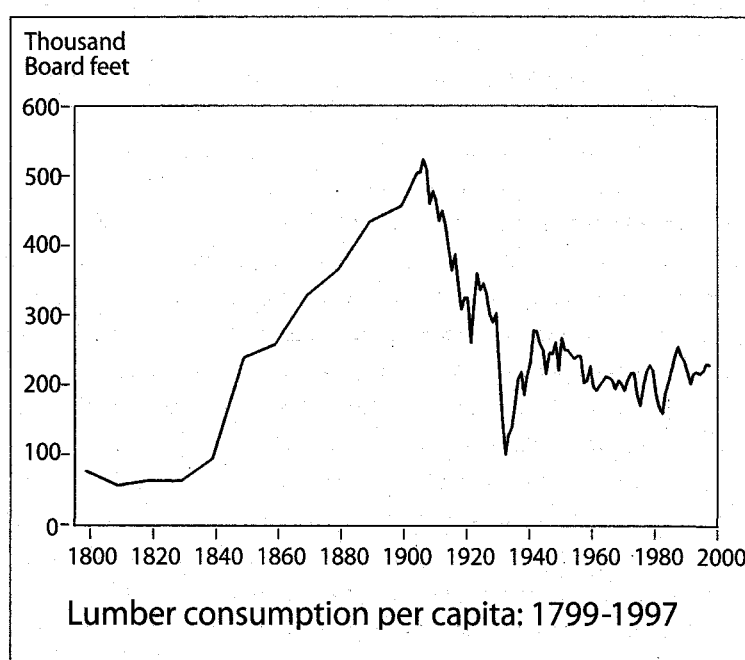


Figure Db-D from the *Historical Statistics of the United States: Millennial Edition*

Kuznets and Kendrick for 1869-1928, Gallman for 1834-59 and 1869-1909, Balke-Gordon and Romer for 1869-1929, even a "slave-economy concept" for 1834-59 (slave production evidently doubled during that period). But aren't we comparing apples to oranges? In 1834 most Americans consumed food grown on their farms and bartered goods and services; many lived outside the cash economy. So, too, did sharecroppers until the 1950s. (Martin Luther King, Jr., met a man in Alabama who had never seen paper money.)

Measuring instruments, moreover, distort. For instance, measures of inflation involve comparing prices of a market basket of goods over time. But the contents of our market baskets change, sometimes in response to prices.



Book Review by Richard Brookhiser

HACKS AMERICANA

Infamous Scribblers: The Founding Fathers and the Rowdy Beginnings of American Journalism,
by Eric Burns. PublicAffairs, 480 pages, \$27.50

EVERYONE TAKES CREDIT FOR SUCCESS, even if it's only guilt by association. Eric Burns is host of *Fox News Watch* and a former correspondent for NBC News. So *Infamous Scribblers* unsurprisingly says that 18th-century journalism was the father of American independence and the first two-party system. Since most of the founders engaged in journalism themselves—Benjamin Franklin, Samuel Adams, and Alexander Hamilton published newspapers, while nearly all their famous peers wrote for them—they would probably agree with Burns.

Or maybe journalism was the deadbeat dad of our glorious past. Burns, a puckish and intelligent celebrant, knows that much 18th-century journalism was partisan, dishonest, and vulgar. "It was the best of times, it was the worst of journalism—and it is no small irony that the former condition led directly to the latter, that the golden age of America's founding was also the gutter age of American reporting, that the most notorious of presses in our nation's history churned out its copy on the foothills of Olympus."

Burns is attentive to the mechanics of the trade. He brings zip to details that other historians would dutifully record, because he understands their importance in his contemporary day job. Burns describes young Franklin, the archetypal print-shop apprentice, readying the ink and paper for the day's work. Each sheet is dipped in water "to open the fibers so that the ink will be more readily absorbed. The paper will still be damp when the words are applied later in the morning. The news does not come hot off the presses in colonial times; it comes moist." When Franklin came to own a press himself, he pioneered an innovation in ad placement, scattering ads throughout his paper instead of clumping them all together, which, he realized, "made it easy for readers to skip all the ads at once." Information moved slowly by our standards in the days before telegraphs, steam engines, and good roads. News of the battles of Lexington and Concord (April 19, 1775) was printed in Boston the same day, but not in Savannah until May 31. Audience penetration was deep, however. John Dickinson's response to the Townshend Acts, *Letters from a Pennsylvania Farmer* (1767-68), appeared in 21 of 25 colonial newspapers, becoming the first

and greatest American political bestseller, until it was trumped by Thomas Paine's *Common Sense* (1776), which (Burns quotes John Ferling) "probably a quarter million colonists...roughly every other free adult living in Anglo-America" read, or heard read aloud.

But the bulk of *Infamous Scribblers* is devoted to stories of journalists taking on the powers that be, including, as time passed, each other. Burns tells these tales well. In 1721 Benjamin Franklin's older brother James used his paper, the *New England Courant*, to assail Cotton Mather for promoting inoculation for smallpox. Inoculation involved inducing an infection in controlled conditions; all patients who survived (the great majority) then had immunity for life. James Franklin thought it was nuts. "[They] pray hard against sickness," the *Courant* wrote of Mather and fellow divines, "yet preach up the pox!" This was one of many cases in which the crusading journalist got it wrong: inoculation was the best preventive of smallpox until Edward Jenner discovered vaccination decades later. One of Benjamin Franklin's sons, un-inoculated, died of the pox.

Mather belonged to a religious establishment that, while it retained moral authority, had lost most of its political power. In 1733, a colonial newspaper and its backers attacked political power head on. William Cosby, the new royal governor of New York, was a greedy and incompetent placeman who offended the Morris and the Livingstons, two families of local grandees. They induced John Peter Zenger, an immigrant printer, to found *The New-York Weekly Journal* to attack Cosby. When Cosby jailed Zenger for criminal libel, they hired Andrew Hamilton, a celebrity Philadelphia lawyer, to defend him. Hamilton told the court that "nature and the laws of our country have given us a right—the liberty—both of exposing and opposing arbitrary power...by speaking and writing the truth." The 18th-century law of seditious libel allowed no such thing; if a printer brought the government into contempt, truth was no defense. But the jury found otherwise, acquitting Zenger after a brief deliberation. This act of jury nullification effectively forestalled sedition prosecutions for decades. "After the Zenger trial," Burns writes, "independence was in the air.... Perhaps more important, it was also on the page."

SAMUEL ADAMS'S NEWSPAPER CAMPAIGNS in Boston, and Thomas Paine's blazing defenses of the American cause once the Revolution had begun, are more familiar ground. Adams's accounts in the *Boston Gazette* of the real and alleged misdeeds of the British soldiers who occupied Boston after 1768 made an incident like the Boston Massacre (which Adams also covered in gory detail) all but inevitable. Adams's publication, in 1773, of the private correspondence of royal office-holder Thomas Hutchinson confirmed for Bostonians, and other Americans, what they had long feared—that Britain's imperial policies aimed at "an abridgment," as Hutchinson put it, "of what is called English liberty" in America. Adams got the Hutchinson letters because they had been sent to Massachusetts by Benjamin Franklin—no longer a colonial printer, but a pillar of the Anglo-American establishment, comfortably ensconced in London. In the ensuing uproar, Franklin was cross-examined by a hostile Privy Council, which helped make a revolutionary of him. Paine's series of essays, called *The American Crisis*, were published as pamphlets. The lede of the first one—"These are the times that try men's souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country, but he that stands it NOW deserves the love and thanks of man and woman"—should be as familiar as Shakespeare. It is as good.

Burns leads us back into less familiar territory with his accounts of the newspaper wars that followed the birth of the modern constitutional system in the 1790s. The scribblers of that decade were a diverse lot. Philip Freneau was a Princeton classmate of James Madison, with aspirations to be a poet. Benjamin Franklin Bache was the grandson of the great patriot. William Cobbett was a soldier and pamphleteer who had been forced to flee his native England on account of his radicalism, though he changed his tune here. James Callender was a radical Scottish refugee who did not change his tune. These men, and many others, attacked each other and their patrons, the leaders of the emergent Federalist and Republican parties. Callender performed the neat trick of defaming Federalists at the behest of Thomas Jefferson, then turning round to defame Jefferson. (It was he who introduced Sally Hemings to the



"The Bloody Massacre Perpetrated in King Street," engraving by Paul Revere, records the events of March 5, 1770, when British troops fired on citizens of Boston. This engraved image was colored in watercolor, and sold to the public shortly after the event.

world.) Cobbett spoke for them all when he delivered this credo on the nature of journalism in his newspaper, the aptly named *Porcupine's Gazette*: "My politics, such as they are, are known to every one; and few, I believe, doubt of their continuing the same. Professions of *impartiality* I shall make none. They are always useless, and are besides perfect nonsense, when used by a newsmonger...." We decide, then we report.

Infamous Scribblers moves along like a newspaper—a tabloid, not a broadsheet. Look at this; and this; and *this!* But, like even the punchiest tabs, it raises serious questions. Burns speculates that the rancorous tone of 18th-century journalism was due to the political uncertainty of the times. When the British empire was unraveling, and before the American republic became stable, it was easy to make men frantic. But in the early 19th century, "[a]s the United States was becoming a larger and more powerful nation, the importance of its newspapers [began] to shrink"—and their shrillness, consequently, began to abate. This is dubious. Charles Dickens wrote a wonderful description of a horrible American newspaper in *Martin Chuzzlewit*, decades after the period Burns de-

scribes. Journalism, it would seem, follows its own internal dynamics.

BURNS INVITES US TO ASK HOW FAR back the paranoid style in American politics goes. Richard Hofstadter, whose famous essay identified the syndrome, traced it back to populism and the free silver money cranks of the 1890s (and traced it forward, good liberal that he was, to Joe McCarthy and the John Birch Society). *Infamous Scribblers* is but one more reminder that the paranoid style is older than America. If that is true, then Samuel Adams becomes a crucial and problematic figure. Hutchinson did call for "an abridgment" of liberties in Massachusetts. But other phrases in his published letters, says Burns, were added by Adams. British troops in Boston were a vexing presence. But Adams invented many of their misdeeds. If paranoia and lies helped midwife the Revolution, does that change our opinion of it? Or can paranoids, in politics as in personal life, have real enemies?

Burns believes that modern American journalism has cleaned up its act. "We do not, in most of our print and broadcast news sources, impugn

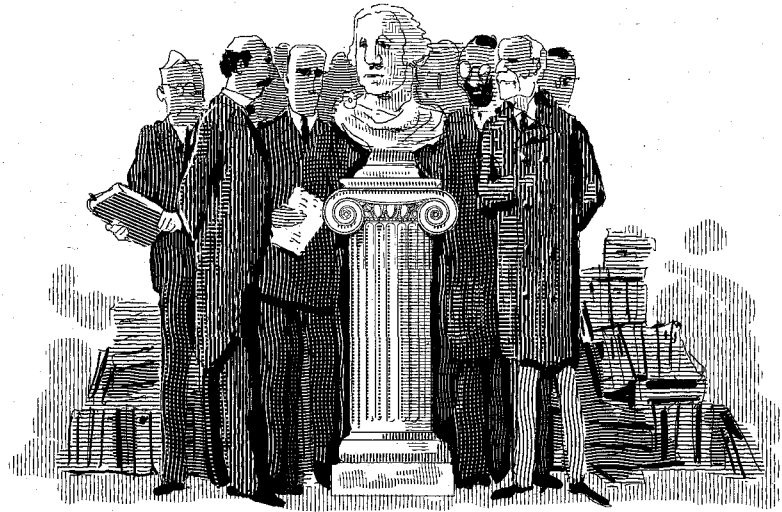
character as they did. We do not, except in extraordinary cases, use the kind of language they did. We do not, except on well-publicized and well-punished occasions, make up the news to suit our ideology. It is a rare example of our turning our backs on the Founding Fathers, finding them unworthy, rejecting their legacy. We are to be commended." No doubt. But we also do not write as well as Thomas Paine, or think as well as Publius (Alexander Hamilton, James Madison, and John Jay), whose essays on the proposed Constitution ran in the New York newspapers before they appeared in every curriculum and Barnes & Noble. By losing James Callender, have we gained only Thomas Friedman?

The world of journalism has grown far beyond print, and some of the wildness of its early days has returned (though no Paines or Publiuses yet). *Infamous Scribblers* is an entertaining account of where we came from. Read all about it.

Richard Brookhiser is a senior editor at National Review and the author most recently of *What Would the Founders Do? Our Questions, Their Answers* (Basic Books).

LOOKING BACKWARD

Interpreting the Founding: Guide to the Enduring Debates over the Origins and Foundations of the American Republic,
by Alan Gibson. University Press of Kansas, 208 pages, \$35 (cloth), \$15.95 (paper)



“WE BEGAN THE DANCE.” SO JOHN Adams remarked about the process of establishing free governments during the American Founding. Americans themselves appreciated the momentousness of this event from the outset. As George Washington put it, “With our fate will the destiny of unborn millions be involved.” It is no surprise, then, that the earliest historians—David Ramsay, Mercy Otis Warren, William Gordon, and Jeremy Belknap—all expressed a sense of excitement, awe, and responsibility in the face of writing the first histories of the founding. Like explorers who encounter a virgin landscape, these historians had to blaze new trails and offer original interpretations; and having no others to follow, they had no alternative but to confront the real event itself.

Alan Gibson, associate professor of political science at California State University, Chico, is a scholar of a much different age. Writing more than two centuries after the Constitution was ratified, he could not possibly have proceeded in the same spirit as those first historians. The landscape they explored has been trampled on by myriad interlopers, and no inch of territory has been left unexamined. Perhaps no event in human history has been more intensely investigated. What’s more, following the establishment of the academic history profession in the late 19th century, the American Founding has become the terrain on which countless reputations have been made or lost and hundreds of tenured positions granted or denied. With the

passions of so many writers figuring into the enterprise of “interpreting the founding,” one can only wonder in what measure the original event still matters.

Gibson’s study is not, in the first instance, about the founding itself, but about the way in which these writers have understood it. His book is not a history, but a history of histories. The personages treated are not the likes of Samuel Adams, Thomas Jefferson, or George Washington, but rather Charles Beard, Bernard Baylin, and Rogers Smith. The events discussed do not include the transformation from a confederation to a national government in the 1780s, but the shift from a liberal to a republican historiographical approach in the 1970s.

What, one may ask, is the worth of such an inquiry? At the end of his book, Gibson writes that he wants to know both “how should the study of the Founding now proceed” and in “what direction [that study] is likely to turn.” He seeks then to encourage a better understanding of the event itself (the founding) by way of considering what others have said about it; and to learn about the interpretation of the founding, on the assumption that this subject is a significant object of study in its own right. Historiography in this sense has long been a practice in French intellectual life, where the positions that historians have taken about the French Revolution have proven hugely important in shaping the politics of each era.

Gibson’s is certainly not the first study of the founding’s historiography. As he points out,

there is now a considerable literature in this field and a debate about whether the interpretations displace one another in Kuhnian-like paradigm shifts or, as Gibson believes, succeed one another in a more accretionist fashion. Still, the author contends that his is the most comprehensive and systematic account of this topic to date, and there is no reason to doubt his assessment. He has very ably surveyed the sweep of scholarship since the beginning of the 20th century, making every effort to present the different approaches in an impartial manner. If anything, he might be accused, at times, of being uncritical to a fault. He may have downplayed themes or missed works that others would have included—for example, there is little discussion of institutional developments like the emergence of the modern executive and only scant mention of religion. In addition, eminent scholars like Wilson Carey McWilliams and Harvey Mansfield are not mentioned. But Gibson disavows any intention of trying to cover everything, and he is wise to do so. One of the merits of this book is its economy. It covers a great deal of material in a small amount of space, and will be cheered by beginning students of the founding who may wish to know what books they should read and by more advanced scholars who want to know what books they can avoid. In both respects, *Interpreting the Founding* is a highly useful volume—useful being a term of art that reviewers often invoke to escape pronouncing a judgment, but which in this case is perfectly apt.

GIBSON DIVIDES THE STUDY OF THE founding into six "schools of interpretation" that appeared over the course of the last century in rough sequence: the Progressives, the Liberals, the Republicans, the Scottish Enlightenment School, the multiple-traditions approach, and social history focusing on the dispossessed. Here, a school of interpretation in the fullest sense contains both a general theory about what causes historical movement and an application of that theory to the American Founding. The Progressive school, for example, holds that class interest is the prime mover of historical development and that ideas are mere instruments for promoting economic advantage. Applying their thought to the Revolution, Progressive historians argue that a coalition of classes united to overthrow the reactionary element of the colonial aristocracy. When the dangers to property posed by many of the state governments became evident, a propertied elite moved to establish the U.S. Constitution. In this account, promoted by such writers as J. Allen Smith and Charles Beard, the Revolution and the Constitution are antithetical: the former was a glorious moment of democratic achievement, the latter a shameful act of oligarchic counterrevolution.

Despite his interest in the historical sequence in which these schools appeared, Gibson gives relatively little attention to why each school emerged and what role it played in American politics. From an abundance of goodwill, he seems to take the historians' own claims of objectivity at face value. He thus accords more impartiality to these historians than they usually accord to the founders. Although no single theory explains these schools' emergence and behavior, it would be interesting to apply each school's understanding of what moves history to its own interpretation. After all, why should a historian be exempt from his own theory? If, as Progressives claim, the founders' ideas were expressions of class interests, then the same should hold true for the Progressives' ideas. In fact, the hypothesis works remarkably well in this case. Progressive historians were part of a new class of experts who emerged at the beginning of the 20th century, striving to use social scientific knowledge as a title to govern. They understood government to be subject only to such limitations as social science thought best. To promote their class interest, therefore, the Progressives needed to overthrow the prevailing doctrine that favored limited government. Progressive historians assumed the most ignoble role in the enterprise, volunteering as the intellectual hit squad that impugned the founders' motives and reduced their efforts to the promotion of self-interest.

Gibson takes up the Liberals next. The Liberal historians' general theory—the author is less clear on this point—holds that major historical actors are capable of exercising a genuine choice about ideas and that these ideas are important causes in historical movement. According to this theory, leading founders embraced the principles of natural-rights liberalism; above all, they were deeply taken by the ideas articulated by John Locke's philosophy of liberalism—hence this school's alternative label, the "Lockean" interpretation. America in this view is a nation founded on principles designed to limit government and protect rights. The Revolution and Constitution are roughly of a piece in this enterprise, with the latter's incorporating, to be sure, numerous practical accommodations to existing circumstances.

If the general theory of this school were applied to the historians who have embraced it, it would allow each historian to decide his reasons for emphasizing the founding's liberal origins. These reasons could range from a commitment to objectivity in historical interpretation to the promotion of a political goal. Again, this premise holds some promise. Many of the Liberal historians seemed to think not only that the claim of Lockean origins is good history, but also that making this clear would have a good effect, though for strikingly different reasons. Louis Hartz famously described a "liberal tradition" in America with the hope of making people conscious of it so that they would begin to overcome it; Daniel Boorstin did so for the opposite reason, hoping that by describing the founding's liberalism he could provide solid grounds for a centrist political consensus in America.

The third interpretive school in Gibson's schema is Republicanism. This approach to the founding emerged in the 1970s and for the next two decades all but captured the historical profession. (It has since lost some ground.) The Republican historians' general theory is that history is very much influenced by ideas. But quite unlike the Liberal approach, Republicans like Gordon Wood and J.G.A. Pocock argue that people rarely choose their ideas; rather, people are constrained by a set of ideas or a "language" that they inherit, which shapes how they view the world. In Heidegger's words, "language is the house of being." But when and why are such "languages" generated? The response seems to be only that different languages emerge at rare moments, in response to some particular situation, and are fashioned by the power of some extraordinary thinkers who happen to be on the scene. Applied to the founding, the Republican thesis is that a language of civic humanism, shot through with

the themes of corruption and virtue, was developed in Italy in the 16th century, in large part by Machiavelli. The English then appropriated this language, modifying it to become the ideology of the Whig "country" opposition. This was the American Revolutionaries' chief discourse and the best starting point for understanding what happened in 1776. In the Republicans' interpretation, John Locke and liberalism all but disappear from the American scene. The Revolution was about virtue, not natural rights. As for the Constitution and early American politics, Republican historians have been at odds: some contend that the framers of 1787 rejected republican discourse and began to develop a new liberal language, while others stress the continuity of the republican tradition throughout the founding era and well into the 19th century.

Given the Republican historians' emphasis on the theme of how ideologies or languages shape human thought, it is remarkable that none of them seems to have systematically investigated what language accounts for their own thought. Unless these historians as a class are superior to all other human thinkers, or unless they have access to the first truly objective theory in the history of human thought, there seems to be no good reason why they should be credited with having access to an Archimedean point outside of ideology. If James Otis and Samuel Adams were the spokespersons of Whig Country doctrines (and ultimately of Machiavelli), who is behind the thought of Pocock and Wood? Who conceived their language, and who saw fit to apply it to the development of a modern republican or communitarian discourse? This line of inquiry enters speculative territory into which Gibson wisely does not tread, but his bibliography identifies Hannah Arendt's *On Revolution* as the first real "Republican" text. Might not Arendt, and ultimately her teachers of perspectivalism, be a source of this modern form of historiography?

THE OTHER THREE SCHOOLS ARE ADAPTATIONS of one form or another of the first three. The Scottish Enlightenment approach accepts the Lockean school's general notion of the conscious choice of ideas, but it argues that the leading founders chose not only John Locke, but also one or another of the great Scottish thinkers of the age: Hume, Hutcheson, Ferguson, Reid, or Kames. The American Founding is a mix of a liberal Locke and a less liberal Scot (each of whom was related in different and complicated ways to Locke). The fifth school Gibson identifies as the "multiple-traditions" approach. It combines one or more of the other five approaches into a synthesis or fusion. Yet as this fusion often takes place

on a foundation that favors one approach or another, this "school" for the most part collapses into one of the others, albeit in a slightly more nuanced way. Thus it splits into those like Michael Zuckert who privilege Locke (now called "neo-Lockeans") and those like the late Lance Banning who favor republican ideology (presumably the "neo-republicans"). At this point, a scorecard with very fine print is needed to keep up with this school's different tendencies. In the end, Gibson credits only Rogers Smith with being a true multiple-traditions proponent, and perhaps rightly so, inasmuch as he coined the term. Smith refuses to choose an authoritative position among the different ideologies that he identifies as extant at the time of the founding. To keep matters straight, it would help considerably if all analysts were clearer about whether they were discussing the positions of the chief group of national leaders who wrote the Constitution (the "founders") or the views of a substantial portion of the public at large. To say that racism and sexism were endemic at the time of the founding, as Smith does, is about as surprising as learning that there was gambling in Casablanca.

Finally, Gibson identifies a recent eclectic group of "social historians" who are interested

in the condition of the "dispossessed" or the Other (women, African-Americans, and Indians). This concern hardly qualifies as a new departure. There were classic works on race from a much earlier period, like Winthrop Jordan's *White Over Black*, published in 1968. What is new, however, is what Gibson calls the "neo-Progressive" agenda of much of this recent scholarship. It continues the Progressives' old campaign of discrediting the founders, only relying this time less on the charge of their selfish class interest than on accusations of their ethnocentrism and sexism.

Alan Gibson's very fine study might have profited from a bit more skepticism about some of the interpreters whom he surveys. In particular, he begins by accepting the Progressives' contention that serious attempts to understand the founding started only with themselves, which is a claim that on examination turns out to be only another component in the Progressives' plan to re-program American political thought. Gibson's book therefore ignores all of the 19th-century interpretations of the American Founding. This is regrettable. Included in his omissions, for example, are Tocqueville's study of the founding and the accounts of some of the romantic

historians, like George Bancroft. These treatments have the merit of beginning at the beginning, conceptually speaking, by asking to what degree the American regime was actually founded in 1776 and 1787, as distinct from the formative, unfolding influence of the religious beliefs and republican mores of earlier colonial settlements. One may disagree with the 19th-century historians' conclusions, but no student of the founding can afford to ignore such a fundamental question. Other key issues, in particular concerning constitutional and institutional developments, were raised with much insight by pre-Progressive historical studies. From these, too, modern students might learn a great deal.

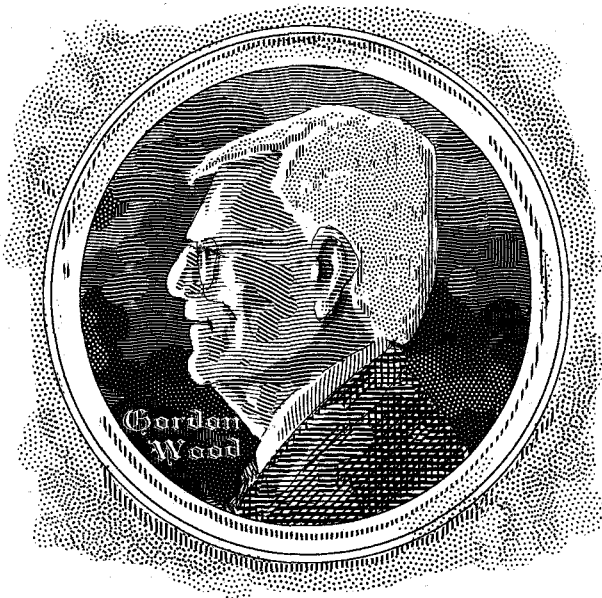
Still, *Interpreting the Founding* is a worthy introduction for studying real history. It is encouraging to learn that Alan Gibson's next study is of the founding itself. Perhaps it will recall some of the wonder and awe of those first historians.

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Essay by Steven F. Hayward

THE LIBERAL REPUBLICANISM OF GORDON WOOD



GORDON WOOD IS THE FAVORITE HISTORIAN of America's liberal establishment. His essays appear regularly in the *New York Review of Books* and the *New Republic*, and liberalism's leading intellectuals—from Michael Sandel to Morton Horwitz to Bruce Ackerman to Cass Sunstein—regularly cite him with approbation. What virtues do they see in his work? In Wood's books, particularly his *Creation of the American Republic, 1776-1787*, they see a hammer with which to bash American individualism and capitalism, and to support an ever-growing administrative state.

Wood says that the American Revolution was a "republican" revolution. By that he means that it had intellectual roots ranging from ancient Greece and Rome to the English Commonwealth, and that it was more communal than capitalistic. "Ideally," he writes, "republicanism obliterated the individual." He explains that

republicanism was essentially anti-capitalistic, a final attempt to come to terms with the emergent individualistic society that threatened to destroy once and for all the communion and benevolence that civilized men had always considered to be the ideal of human behavior.

Given that belief, we should not be surprised that America's liberals look to Wood to find an image of America that suits them. In his interpretation of the American Revolution, they find support for their belief that what is good about

the American past is a certain communitarianism, which they wish to marry to the modern state. As Mark Seidenfeld wrote in the *Harvard Law Review*: "I view the civic republican conception as providing an essential justification for the modern bureaucratic state.... Moreover,

Books by Gordon S. Wood
discussed in this essay:

The Creation of the American Republic, 1776-1787. University of North Carolina Press, 653 pages, \$59.95 (cloth), \$21.95 (paper), 1969

The Radicalism of the American Revolution. Knopf, 447 pages, \$16.95 (paper), 1991

The American Revolution: A History. Modern Library, 224 pages, \$13.95 (paper), 2002

Revolutionary Characters: What Made the Founders Different. The Penguin Press, 321 pages, \$25.95, 2006

given the current ethic that approves of the private pursuit of self-interest as a means of making social policy, reliance on a more politically isolated administrative state may be necessary to implement something approaching the civic republican ideal."

Wood's work has been particularly important to liberal legal theorists. They have em-

braced key aspects of his argument in *Creation of the American Republic* as the foundation of a renewed attack on the Constitution's few remaining restraints on government power. Law reviews are packed with articles touting the "revival of civic republicanism" as the new theoretical justification for welfare-statism, and as a substantive alternative to the historical dead-end of modern individualism. Mindful of the defects of Marxism, legal positivism, and Progressive era-style economic regulation, and facing the need to overcome the formidable arguments of constitutional originalism, civic republicanism enables the Left to turn the tables and claim an original intent argument of its own. The Left's enthusiasm for Wood's ideas took off, not coincidentally, in the late 1980s in the aftermath of Attorney General Edwin Meese's elevation of the controversy over original intent. As University of Wisconsin-Milwaukee historian J. David Hoeveler, Jr., observes,

What is at stake is nothing less than a contemporary liberal version of original intent.... These reconstructions of republicanism apply with varying specificity to the role of the Supreme Court in American society. They constitute a liberal original intent providing an ideological outline, or cultural value system, that has direct applications to law and the interpretation of law.

Wood's *Creation* is invariably the principal source offered as historical support.



The eager extrapolation of Wood's argument is seen not merely among obscure, tenure-seeking adventurers, but also among the leading celebrities of the legal academy. Horwitz, who teaches at Harvard Law School, cites Wood to give effect to his view that "republicanism was a truly coherent political alternative to liberalism in American thought." Sunstein, a leading light at the University of Chicago Law School, is explicit about the project of finding a non-Lockean, non-liberal narrative for America, writing in the *Yale Law Journal* that

it is no longer possible to see a Lockean consensus in the founding period, or to treat the framers as modern pluralists believing that self-interest is the inevitable motivating force behind political behavior. Republican thought played a central role in the framing period, and it offers a powerful conception of politics and of the functions of constitutionalism.

Sunstein adopts the postmodern formula that property rights are a "social construction," adding that "republicans are hardly hostile to redistribution or to collective efforts to reassess the existing distribution of wealth and entitlements." And he is clear that civic republicanism, as he understands it, involves the negation of natural right: "What is distinctive about the republican view is that it understands most rights as either preconditions for or the outcome of an undistorted deliberative process." In sum,

[R]epublicans see the private sphere as the product of public decisions, and deny the existence of natural or prepolitical entitlements.... The creation of such a sphere, based on a theory of natural rights, coexists uneasily with republican conceptions of politics.

In Sunstein's hands, civic republicanism would entitle the judiciary—especially the Supreme Court—to be more political than it already is, and provide the theoretical basis for radical policy prescriptions, such as a "New Deal for speech" in which access to the media would be "redistributed" to make American politics more "democratic."

Uncommon Liberal

TWO QUESTIONS COME TO MIND: IS THIS a reasonable interpretation of Wood's work? And beyond that, is Wood's interpretation of the American Revolution itself reasonable?

It is not clear that Wood himself would go as far as Sunstein, Seidenfeld, or the other le-

gal scholars who use his work as a prop. He is no typical lefty academic, though he has taught American history at Brown University for many years. He assails postmodern multiculturalism in spirited terms: "multiculturalism," he wrote in the *William and Mary Quarterly*, "not only falsifies our past; it destroys our future." He deplores relativism's "insidious" attack on the idea of objectivity in historical research and writing. He rejects the victimology inherent in the class- and group-based obsession with "oppression"—taking special aim at the prominent oppression-studies specialist Gary Nash (who criticized Wood for not paying more attention to the Left's anointed victim classifications). Wood comments: "What is extraordinary about the American Revolution is not, as Nash suggests, the continual deprivation and repression of the mass of ordinary people but rather their release and liberation."

In 1991, five years after Wood wrote this, he published *The Radicalism of the American Revolution*, perhaps the most thorough, engaging inventory of the astonishing democratic social changes the Revolution unleashed. "[T]he American Revolution," he declares, "was not conservative at all; on the contrary: it was as radical and as revolutionary as any in history." The Revolution upset social hierarchies and accelerated the social mobility that has always been one of the cornerstones of American character. He suggests that between 1776 and the early 1800s, American culture and society went from republican to democratic. In *Revolutionary Characters*, his latest book, he affirms that the founders were an extraordinary and admirable group of political thinkers.

One suspects that Wood's conclusions changed between 1969, when he published *Creation*, and 1991, when he published *Radicalism*. In both books, Wood argues that democratic nationalism triumphed over republican ideology. In that sense, they tell the same story—the one by describing an ideological change, and the other by describing a cultural and social transformation. Even so, his evaluation of the shift to democratic nationalism alters from one book to the other. In the 1960s, Wood, like many others, believed that individualism had ruined America. By the 1990s, however, he thought middle-class democracy was not half bad. So it is not surprising that academic liberals tend to quote the former and not the latter book. In the penultimate chapter of *Creation*, "The Relevance and Irrelevance of John Adams," which Wood reprints in *Revolutionary Characters*, he suggests that America rests upon a false foundation: "for too long and with too much candor [Adams] had tried to tell his fellow Americans some truths about themselves that American values and American ideology would not admit." By

the time he wrote *Radicalism*, Wood had grown less hostile to the American regime.

Even if Wood might not like all the uses to which *Creation* is put, that does not mean that liberals are interpreting it incorrectly. Wood's account of republicanism is fundamentally communitarian. Yet by citing Wood as they do, Sunstein, Ackerman, and the others neglect something essential in his work. In particular, they ignore the book's conclusion. In *Creation*, Wood argues that an anti-capitalist concern for civic virtue and some idea of the "public good" lay at the heart of the 1776 revolution. That's what liberals like about it. Yet to win ratification of the Constitution, he argues, the Federalists had to pretend it was rather more democratic than in fact it was, with results both ironic and tragic. The Federalists wrote the Constitution, according to Wood, to insert republican checks on American democracy, and upon democratic individualism. But to get the people to ratify the Constitution, the Federalists had to appeal to the sovereignty of the people. As a result, they secured the triumph of the very democracy they were trying to contain. Necessity and events put republicanism onto the trash heap of history. In the most frequently cited passage from *Creation*, Wood becomes the heir to, and modifier of, Charles Beard and Louis Hartz:

[T]he Federalists helped to foreclose the development of an American intellectual tradition in which the differing ideas of politics would be intimately and genuinely related to differing social interests. In other words, the Federalists in 1787 hastened the destruction of whatever chance there was in America for the growth of an avowedly aristocratic conception of politics and thereby contributed to the creation of that encompassing liberal tradition which has mitigated and often obscured the real social antagonisms of American politics.... [T]he Federalists fixed the terms for the future discussion of American politics...and created a distinctly American political theory but only at the cost of eventually impoverishing later American political thought.

After 1789, Wood argues, there was no longer any room in America for classical thinking about the common good, or for the ideas that sustained it. Wood laments the loss.

Unlike today's liberals who quote his magnum opus, Wood does not think that America can return to its republican roots. He may be crying over spilled milk, but he has the fortitude to admit it. On that ground, he criticizes some of the uses to which his work has been

conscripted. In a symposium on civic republicanism in the *Chicago Kent Law Review*, Wood wrote that

the idea that we today can restore some sort of classical politics to our public life strikes me as utterly chimerical.... All of [the legal scholars] seem to speak and write as if we had more freedom and choice in the matter than we do. They seem to suggest that people can actually be talked into restoring classical politics or even aspects of classical politics to American political life.

According to Wood, any effort to return to past ways of life is futile. History moves relentlessly onward. Wood's point is not that America's founding was republican, but that America was founded as part of a historical process that soon rendered republicanism obsolete.

The Virtues of History

IF WOOD DOES NOT QUITE TEACH THE lessons that liberals often draw from his works, what does he teach? He is correct that America's founders read classical political thinkers with attention and learned from them, particularly about the connection between liberty and virtue. It is also true that, when it was founded, the American regime was something new and distinctive in history. And it is hardly unreasonable to find, as he suggests in *Radicalism*, that there was something noble in the founding, and something good in American society from the start. In that sense, it is not such a bad thing that Newt Gingrich regularly quotes him, or that Wood's latest book appeared on President Bush's summer reading list.

If one reads Wood closely, however, his work becomes less sound. Consider his treatment of classical virtue. Wood defines virtue simply as submission to the public good—that's why it "obliterated the individual." In other words, he collapses the classical virtues of individuals—wisdom, courage, justice, moderation—into a crude notion of civic virtue. His seemingly exhaustive exegesis of the classical republican sources of American political thought is deficient, too. Critics have impeached his use of sources, noting that he sometimes wrenches quotations out of context in order to bolster his interpretation.

Wood's discussion of liberty in the American Revolution is similarly inadequate. In the hundreds of closely argued pages of *Creation*, a book that is supposed to cover the years 1776 to 1787, the Declaration of Independence barely receives a glancing nod, while Locke and social contract theory are shunted aside perfunctorily.

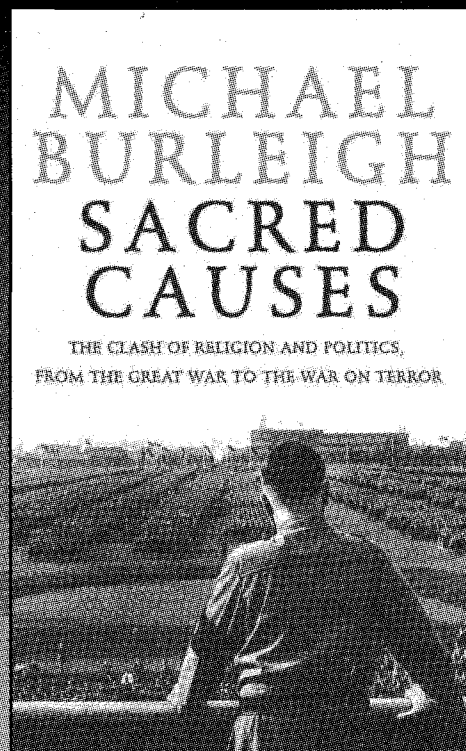
Wood does not think it is important to explore the ideas of the Declaration in any detail. In his short book *The American Revolution*, the Declaration fares slightly better. Here he echoes Lincoln: "The Declaration of Independence set forth a philosophy of human rights that could be applied...to peoples everywhere. It was essential in giving the American Revolution a universal appeal." Wood does not grasp, or does not think it possible to compare, the difference between the founders' understanding of rights and that of contemporary liberalism. Consider this animadversion on Jefferson from the same volume: "Jefferson stood for the rights of individuals, and these rights have been carried to extremes in recent years. So Jefferson and his Declaration of Independence are at fault." (To be fair, it is not clear whether he is speaking for himself here, or describing the views of others with the historian's pose of critical detachment. This is a recurring ambiguity in his writing.) Wood's disregard of the Declaration and Locke's influence is akin to an account of Christianity that left out St. Paul or omitted the doctrine of salvation by grace.

By misreading both the classical understanding of virtue and the modern understanding of liberty, Wood misconstrues the nature of the American Revolution and the republic it helped to create. His readers don't get the tools with which to understand Jefferson's famous remark that the American mind drew, *inter alia*, upon the principles of the elementary books of public right, such as "Aristotle, Cicero, Locke, Sidney, etc."

Wood's vices are born of his virtues. He is a good historian who recognizes that the past is fundamentally different from the present, and for that reason, must be understood on its own terms. He takes that idea to such an extreme, however, that it damages his achievement. The fundamental difficulty in Wood's approach to the founding is that he is closed to the possibility that the founders might have discovered some political truths that transcend time and place. The ideas of the founding cannot guide us today, he suggests, because they are ideas from the past, and the past, being different from the present, is irredeemably alien.

This belief animated his full-throated attack in the *New York Review of Books* in 1988 on the "quasi-religious view of the Founding" and the "fundamentalism" of what he called "the Leo Strauss bicentennial." The Straussians "are wrong to see the Constitution as having timeless and universal meaning embodied in the philosophical aims of the Founders and discoverable through textual exegesis.... [H]istorically there can be no real 'original intention' behind the document." This makes one wonder why Wood ever devoted such extended attention to the Constitution.

From the author of *Earthly Powers*



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"In the end all the Founders created something that no one of them ever intended," he writes. For him, that conclusion is a truism. According to his premises, historical figures cannot really know what they are doing; and historians who can know, but only in retrospect, cannot *do* anything with their knowledge. In short, one can learn about the past, but never from the past. Perhaps that goes too far, but only a bit. The deepest truth Wood sees in history is that history never ceases to move. From history, one cannot learn wisdom but at best a certain Romantic longing to be part of the communal whole that is in motion. This is watered-down, very watered-down, Heidegger.

Another way of saying all this is that the same dramatic irony—that the readers know truths about the founding that the founders could not possibly know—which makes the story Wood tells in *Creation* so compelling, also limits Wood's insight into the era. Thomas Pangle argues that Wood and his emulators read republican political thought "in a spirit which is not only alien, but also inferior in seriousness to the spirit of the eighteenth-century readers." Historian Edward Countryman observes that "Wood comes very close to writing as if a single intelligence lay behind the numerous quotations that make up his book." John Patrick Diggins is more blunt, charging that

Wood has allowed himself to be convinced that the mind is so much the product of social interaction that the ideas that derive from its cognitive operations cannot tell us anything about historical reality.... If one were to follow Wood's advice to its logical conclusion, intellectual history would become not the history of ideas but of opinions and interpretations, and the historian would have no way of judging the accuracy or rightfulness of such opinions and interpretations.

Yet Wood gets angry when his own premises and interpretations are attacked—as though he were somehow in the right. He might deny

that John Adams could learn the same things that Cicero or Marsilius did from reading Aristotle's *Politics*. Yet Adams thought that he could. In short, Adams and the other founders disagreed with Wood's bedrock historical premise. As a result, his assumptions limit his vision, disabling him from giving a full account of the American Revolution and the ideas that animated it; disabling him, indeed, from giving a consistent defense of his own laudable researches.

The Future of the Past

THESE DIFFICULTIES MAKE INTERESTING Wood's more recent expressions of dismay over multiculturalism and postmodernism. His own commitment to seeing political ideas as transient products of historical and social context leaves him, finally, no grounds of resistance to the intellectual corruption of our time. He arrives unarmed at conferences and faculty meetings. He betrays this here and there with a throwaway phrase. In a 1981 review of Oscar Handlin's *Truth in History*, Wood writes: "[A]s we wait for modernism to engulf us, we can only carry on our historian's business as best we can, clinging to Handlin's belief that 'truth resides in the small pieces that together form the record.'" But Wood never gives the sense that these small pieces will ever fit together into a larger whole, which could correct or instruct us about our present circumstances. For him, political thought remains not even a large jigsaw puzzle, but an ever-changing kaleidoscope. His criticism of multiculturalism is thus of a piece with his dismissal of natural rights. He dislikes the former because it suggests that a culture cannot, or should not, cohere as a historical whole. He scorns the latter because it implies that rights are beyond culture. He has no truck with either conclusion. For him, cultures are comprehensive wholes, and they are constantly evolving.

The most important reason for Wood's wide, enduring appeal is that he cast a much-deserved spotlight on the ways in which clas-

sical republican thought infused the founding. Such an inquiry was a needed corrective to the view of America as a wholly modern, wholly liberal regime indifferent to public considerations of virtue. His approach might yield a new synthesis or at least combination of ancient and modern strands of political thought. But though his work raises the question, he does not, and cannot, answer it. In Wood's recreation of the political thought of the founding, the idea of natural right (whether understood in ancient or modern terms) goes missing in action.

As a historian, Wood has many virtues. He writes with becoming modesty. As much as possible, he lets his sources do the talking. But that is what makes the limits of his vision all the more frustrating. His "objective" approach to history simplifies the past in order to make it more susceptible to interpretation. His historicism leads him to affect an apolitical posture when writing about deeply political things. An "objective" historian is not supposed to make value judgments. That is partly what he has in mind when he writes that historians cannot pay attention to philosophers if they are to do their work. This is a pity, for the political philosophers he disdains agree with him to a large extent that the tension between classical republican virtue and modern liberalism is a crucial question for understanding—and preserving—America. Yet those scholars of philosophy speak of moral reason and moral argument, not "value judgments."

By its ambition and scope, Wood's body of work will remain preeminent for some time in the historiography of the American Founding. But it begs to be superseded by an equally large-scale treatment that does not shy away from treating the founders as thinkers and statesmen, rather than as 18th-century ideologues.

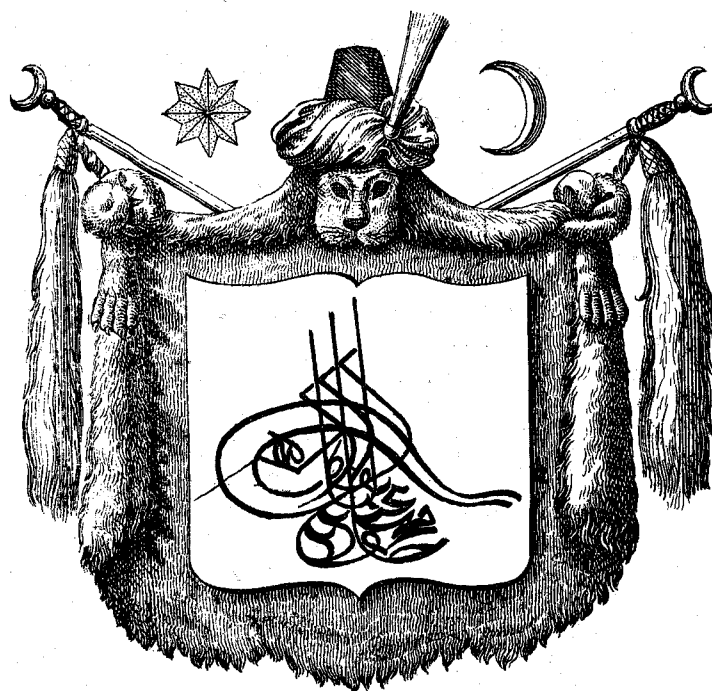
Steven F. Hayward is F.K. Weyerhaeuser Scholar at the American Enterprise Institute. He is the author most recently of *Greatness: Reagan, Churchill, and the Making of Extraordinary Leaders* (Crown Forum).



Book Review by John Derbyshire

THE MAD, THE GRIM, AND THE SOT

Osman's Dream, by Caroline Finkel. Basic Books, 660 pages, \$35



HOW MUCH SPACE DOES THE OTTOMAN Empire occupy in the mind of an average well-educated Westerner of today? I called a representative specimen of such and asked him to free-associate on the phrase "Ottoman Empire." He: "Um, Manzikert... fall of Constantinople... Lepanto... gates of Vienna... sick man of Europe... Armenian massacres."

That's not bad—though the Turkish victors at the Battle of Manzikert (1071), who went on to sweep the Byzantine Greeks from Anatolia, were Seljuks, not Ottomans. The Seljuk power declined and by the late 13th century, after the Mongol campaigns, Anatolia was home to numerous petty Turkish emirates. Inevitably one of these statelets threw up a leader of sufficient energy and imagination to dominate the others. This was Osman, first in every list of Ottoman Sultans, and the name from which, via some vagaries of transcription, that of the empire itself derives.

One of the founding myths of the Ottomans recounts a dream the young Osman had while sleeping in the house of a Muslim holy man. The dream was of course heavy with symbolism, which the holy man, when consulted, interpreted as meaning that Osman and his descendants would rule a mighty empire. This story gives Caroline Finkel the title for her history of

that empire, which is conventionally dated from 1299 to 1923, the latter marking the founding of the modern Turkish Republic.

Ms. Finkel—an Ottomanist of some standing, with numerous papers, books, and articles to her credit—intended to write for a general audience. But *Osman's Dream* is unmistakably a scholar's book—long and dense, with a meticulous attention to authentic spellings of personal and place names. Ms. Finkel writes Manzikert as "Malazgirt," and is free with umlauts, cedillas, breves, and the very peculiar Turkish way of dotting some uppercase letters "I" while leaving some lowercase ones undotted. You either mind this kind of thing or you don't. I am only telling you that this is not a breezy popular account, like Jason Goodwin's 1998 *Lords of the Horizons*, which Finkel does not deign to notice in either her bibliography or index. This author is very serious about her subject. She goes so far as to tell us, in her preface, that: "[T]he writer of Ottoman history cannot enjoy the luxury of supplying entertainment at the cost of explanation."

She makes good on that promise. As well as imposing all those diacritical marks on us and hiding the general reader's scant handful of familiar landmarks behind such forbidding corrections as "Malazgirt," Finkel even deprives us of those dimly remembered cogno-

mens for the more egregious of the Sultans: Ibrahim the Mad, Selim the Grim ("known to posterity as 'Yavuz,' 'the Stern,'" Ms. Finkel allows, but this is not half as vivid as "the Grim"), his grandson Selim the Sot, and so on. There is, of course, a case for scholarly rigor in such matters. But history is, or can be, a branch of literature. Finkel the Stern might have made some slight concessions to the tradition of Gibbon and Carlyle without compromising her academic integrity.

To clarify by example, here is Finkel on the aftermath of Mahmud II's destruction of the Janissaries (elite infantrymen originally recruited from the empire's Christian subjects) in June 1826:

In addition to those killed in the attack on the janissary barracks...many thousands more were hunted down in the succeeding days. Roads and ports were strictly controlled so that news of the "Auspicious Incident," as it was called, and of the new edict formally abolishing the janissary corps, could not get out before provincial governors had received their instructions on how to proceed.

Here is Jason Goodwin on the same topic, in a book only half as long:

There were still many janissaries hiding out in parts of the city. Some are supposed to have taken refuge in the stokeholes of the Constantinople baths, where they survived on food smuggled to them by stubborn well-wishers.* Some reached the Belgrade forest in a suburb of Constantinople, where long ago Mehmet the Conqueror had settled large numbers of Serbs during his repopulation of the capital. Loyal officers toured the city in disguise, pointing out janissaries for the executioner. The bodies of hundreds of soldiers were flung under the Janissary Tree on the Hippodrome. Part of the Belgrade forest was torched to smoke them out....

The asterisked footnote adds that: "They allegedly composed the threnodies which can still be heard, the songs of the Men of the Stoke-Hole, the Kulhan Beyler, lamenting the great old days of janissary power."

There is, again, a case for Finkel's approach, most especially for that subset of her target audience mentioned in her preface: "students embarking on a study of Ottoman history, who presently lack a single-volume narrative in English." She is, furthermore, skeptical and judicious, as a scholar should be. Goodwin retails without comment the ancient tale of how the

Sultan Bayezid I, defeated by Tamerlane at the Battle of Ankara in 1402, "was placed in a cage, too small for standing upright, and dragged in the wake of Tamerlane's retinue." Then: "His wife Despina was made to serve naked at the victor's table." Finkel pooh-poohs all this as fanciful (as did Voltaire) and tells us that Bayezid died of natural causes, his body being then carefully mummified and placed in a mausoleum. In the end, you can't beat cold fact; but 500-odd pages of cold fact calls for some determined reading. A few stokeholes wouldn't have hurt.

A LONG WITH EVERY OTHER HISTORIAN of the East of the past 30 years or so (see, for example, Valerie Hansen's history of China), Finkel is concerned to disabuse us of those wrong-headed, crypto-racist old notions of "oriental despotism." These great bureaucratic peasant empires of the pre-industrial age were, according to that old conception, static and uncreative, vegetating under semi-divine monarchs possessed of total power, indifferent to commerce, science, and exploration. The bustling, dynamic West, meanwhile, raced ahead to create the modern world, leaving the East in the dust. Finkel declares that her aim in writing *Osman's Dream* "has been to counter the over-simplified notion that the Ottoman Empire rose, declined, and fell—and that is all we need to know about it."

I'll confess to having been seduced by the "oriental despotism" model myself. I was given Alexander Kinglake's *Eothen* to read as a school task, and still recall the way this Englishman recorded his entry into Ottoman Belgrade in 1834: "The foot falls noiseless upon the crumbling soil of an Eastern city, and silence follows you still...." A parade of more or less comic pashas, dragomans, and camel drivers follows. Later I read Montesquieu's *Persian Letters*, Wittfogel's *Oriental Despotism*, and Wesson's *The Imperial Order*, and the image was fixed. Nothing changed in these places; one century was much like the next; the human spirit was stifled, left to find such consolations as it could in religions that stressed the annihilation of self; property was held at the despot's whim; Utopia was in the past, not the future; the god-king was serene in his palace, with his harem and his eunuchs; and the subject's only duties were to tremble and obey. "Better fifty years of Europe than a cycle of Cathay," as Tennyson expressed it in "Locksley Hall." How good a job of dispelling this image does Finkel do?

A very creditable one, I think. *Osman's Dream* leaves the reader with a real knowledge of the ebb and flow—and re-ebb and re-flow—of Ottoman history. I had not realized, for example, how long and strenuously the empire struggled

to reform itself. As was the case in China, there was always a reactionary faction at court ready to obstruct or reverse the reforms. In the early days, these often succeeded, but from the end of the disastrous wars against the Holy Alliance (1683-1699) onwards, the reactionary influence waned, and there was always some effort at Westernization either charging ahead or biding its time. Again as in late-imperial China, the prevailing idea was to take what was useful from the West while rejecting what was thought undesirable:

During the eighteenth century the empire was no longer able to choose whether to accept or reject foreign influence, but used the means at its disposal to resist what were deemed its harmful effects.

And, even more evocative of the late-Imperial Chinese reforms:

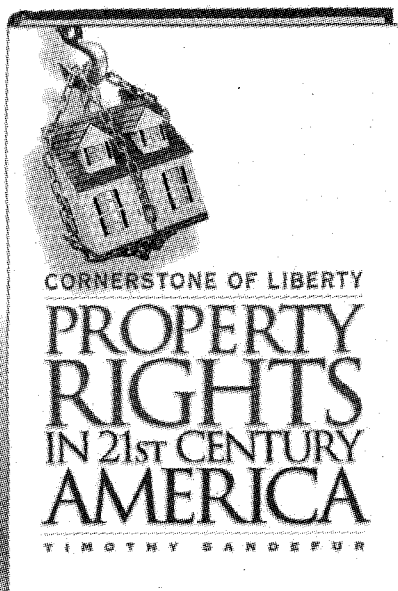
The reports [on the state of the empire, commissioned by Selim III in 1789-92] illustrate a conscious acceptance in ruling circles of the need to borrow from the infidel the things which made him strong, combined with a recognition that this must be done within the familiar idiom of Ottoman Islam.

Yet as in China, the reforms were never quite enough. The Ottoman armed forces, once the terror of their neighbors, proved especially resistant to effective improvement. The empire's 18th-century military reforms—inspired, like everyone else's, by those of Frederick the Great—were given a sense of urgency after the Russian navy, under British officers, destroyed the Ottoman fleet at Chesmé in 1770. Yet the Ottoman fleet was sunk again at Navarino in 1827, and again at Sinope in 1853. (Adding Lepanto to this melancholy list, one sees that, at pretty much any point in the empire's history, an Ottoman subject was wise to avoid naval service.)

Reform really took off with the promulgation of the Gülhane Edict in 1839. Urged forward by Grand Vizier Reshid Pasha, one of history's great masters of statecraft, commercial life improved to the point that, at the outbreak of the Crimean War in 1853, "the rights won by foreign merchants to trade freely within the empire, and the ending of monopolies, made for a regime that was one of the most liberal in the world." Alas, reforms in the spheres of commerce, the military, and social life, only made more plain the central issue of irredeemable political backwardness. Real progress only began with the rise of the Young Turks—Finkel prefers the more formal "Committee of Union and Progress"

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(CUP)—in 1894. By that time it was too late to save the empire, and almost too late even to save the hope of a republic established on the core Turkish territory of Anatolia. Finkel's closing pages make clear how modern Turkey emerged from the chaos of imperial collapse only by the skin of its teeth and the courage of young nationalist army officers like Mustafa Kemal, and with no help at all from the European powers. And the Turks have not forgotten:

The shadow of Sèvres [the humiliating treaty of 1920, which left much of Anatolia's fate in the hands of Greece and the League of Nations] hangs over Turkey to this day in the lingering fear that foreign enemies and their collaborators inside Turkey may again seek to divide the state which was defended with such tenacity and at such cost. Attitudes in some quarters of Turkish society to the possibility of entry to the European Union are also coloured by the spectre of Sèvres, and European intentions are closely scrutinized for signs of duplicity.

This is not the only aspect of modern Turkey that the author's narrative helps to illuminate. The stony unwillingness to countenance Kurdish requests for autonomy, for instance, is rooted in the Ottoman tradition of considering only non-Muslims to be authentic minorities. The Kurds, being Muslim, are really just Turks. What's the issue? Similarly, attitudes toward Iran and Shiite Islam are colored by the 16th-century engagement with the Safavid dynasty and the murderous Kizilbash sect of Shiite rebels. The still-unsettled place of military power in the modern Turkish republic also has deep roots in Ottoman practice, the destruction of the janissary corps being a key part of that story.

And the author's deliberately Turco-centric approach helps the Western reader to see "the Eastern Question" and the "sick man of Europe" from the other side. Finkel, who actually uses the phrase "the Western Question" in this context, explains how European powers set themselves up as champions of the empire's religious minorities—with, of course, intentions that were by no means entirely altruistic. The French championed Catholics; the Russians, Orthodox believers; the English, in lieu of Anglicans (of which the Ottoman Empire seems to have been quite bereft) championed the Jews. All this in turn fed back on to the attitude of the empire itself towards its religious minori-

ties, an attitude that also was not disinterested, since the poll tax on non-Muslims was an important source of state revenue.

On the very touchy question of the Armenian massacres in 1915, where pretty much anything one says will bring a flood of abuse from some quarter or other, Finkel is as fair as it is possible to be. This will not spare her abuse—probably from all quarters—but it should leave the impartial reader thinking that she has done her best, and has no axe to grind. After laying out such facts as we have, she concludes that:

Circumstantial evidence does not constitute proof [of an official Ottoman policy of genocide] and judgment must await the completion of research: the "narrative gap in Ottoman Armenian history" [quoting historian Jeremy Salt], whereby the story of the intercommunal violence that took place in Anatolia and Syria during the First World War is told predominantly from one side—the Armenian—certainly demands redress. What is clear, however, is that the issue of the "Armenian genocide" not only continues to bedevil Turkish foreign relations around the world but consigns Armenia, which borders Turkey and is officially at war with another of its neighbors, Turkey's ally Azerbaijan, to a wretched existence.

OSMAN'S DREAM IS, IN A NUTSHELL, A valuable and instructive book, but not a lovable one. The stiff scholarly formality of Ms. Finkel's approach becomes wearying after a few hundred pages, and sometimes irritating. One misses, too, any attempt to give us personalities. Even Suleyman the Magnificent, a very fascinating man, is little more than a name in Finkel's text. This distancing rather works against the author's intention to present an alternative to the "oriental despotism" frame of reference. It is easier to believe that this was a society moved by dynamics similar to our own if there are some human beings on display with motives and weaknesses resembling ours. Mahmud II, for example, nemesis of the Janissaries—he ascended the throne in 1808 at age 23 and ruled for 31 years—is a person one would like to know much more about. What do we learn? He adopted trousers, hired Donizetti's brother to be master of the sultan's music, tangled with the wayward Mehmet Ali, viceroy of Egypt (which, by the way, Finkel deftly explains, held very much the same "jewel in the crown" position in the Ottoman empire

that India held in the British one), smashed the Janissaries, and so on. But what was he like? I still have no clue.

Not that *Osman's Dream* is completely without human interest. There is a quite touching letter from Roxelana, Suleyman the Magnificent's wife and dearest love, written to him when he was away campaigning in 1525: "My Sultan, there is no limit to the burning anguish of separation...." (Though Ms. Finkel manages to leave the distinct impression that, these soft endearments notwithstanding, Roxelana was not a person you'd want to turn your back on in a court intrigue.) I smiled to read of the trouble that Mehmed IV had, in the lead-up to the second Vienna fiasco in 1683, getting his favorite concubine "and eighty coachloads of ladies of the harem safely across the bridge over a river near Plovdiv." And the account by a visiting English chaplain of the mass circumcision at that same Sultan's court in 1675 I found quite...gripping.

Still, I wonder how many of the general readers Finkel seeks will read far enough to savor those morsels. I return to the comparison with Jason Goodwin's *Lords of the Horizons*. It is of course easy to scoff at Goodwin's colored—occasionally purple—prose, his glossing over the inner dynamics of the empire, and his uncritical retailing of dubious fables. His book is full of things that are hard to forget, though. He even gives brief but lucid refutations of the "oriental despotism" model, noting, for example, that "Louis XIV...was never held to account for French disasters on the battlefield, but the supposed tyrants of the Ottoman Empire seemed incapable of surviving military reverses once fresh princes were stockpiled in the kafes." (Kafes were the special apartments where princes—potential rivals for the throne—were confined.) That tells us a great deal about the difference between an absolute monarch of the European type and an "oriental despot."

Judging from the level of detail Ms. Finkel attains throughout, and from her book's very impressive bibliography of works in several languages, it would take a braver non-Ottomanist than I to gainsay the author on any point of scholarship. I am glad to have *Osman's Dream* on my shelf as a work of reference that I feel sure will not lead me astray. But I cannot say I think it altogether successful as a work of narrative history.

John Derbyshire is a writer living in New York, and the author most recently of *Unknown Quantity* (Joseph Henry Press), a history of algebra.

Essay by Paul A. Cantor

PLAYWRIGHT OF THE GLOBE

How many ages hence
Shall this our lofty scene be acted over
In states unborn and accents yet unknown!

—Julius Caesar

Data, you are here to learn about the human condition...
and there's no better way than embracing Shakespeare.

—Capt. Picard to Lt. Commander Data,
"The Defector," *Star Trek: The Next Generation*

IN JUNE 2006, I WAS SCHEDULED TO FLY back from a trip to Sicily via Frankfurt am Main. Having seen the airport many times but not the city itself, I decided to spend a few days there. But as I discovered when I went to book a hotel, there was a little problem. Germany was hosting the World Cup that month, and the city was swarming with soccer fans come from all over the globe to watch the nail-biting zero-zero ties on jumbo TVs strategically placed around the city—one even floating on a barge in the middle of the Main. But I lucked out after all. The sights I'd come to see—the Goethe House, the Städel Gallery art museum, the Liebig House sculpture museum—were virtually empty. In the Städel, I had all to myself the four masterpieces by Robert Campin, right next to Bosch's "Ecce Homo." And since the taste of soccer hooligans evidently doesn't run to the music of Anton Bruckner, I was easily able to get the best seat in the house for his *Fourth Symphony* at the Old Opera.

But best of all, I realized a long-standing ambition: to see one of Shakespeare's plays performed live in German. It was an appropriately grim and dark production of *Macbeth* at the Municipal Theater, in a new translation/adaptation by Jens Groß, directed by André Wilms. As in most Shakespeare performances these days, the production team was not content to leave well enough alone. The adaptation expanded the role of the witches, and added a role for Satan as their master (he later turned into Macbeth's officer Seyton). The version also rewrote the ending. After killing Macbeth, Macduff is offered the crown, but turns it down, explaining that he did what he did for revenge, whereas Malcolm acted out of concern for the common good and therefore deserved to be king. This optimistic touch was undercut by

a reappearance of the witches, who closed the play chanting the same ominous words with which they opened it—the German equivalent of "fair is foul, and foul is fair."

But despite all this tampering with Shakespeare's text, the production was basically true to the play, and as good as most English-language *Macbeths* I've seen over the years. At least Groß and Wilms didn't turn the witches into a jazz combo, which happened in the *Macbeth* I saw at the Globe Theatre in London in 2001—the single worst production of any play I've ever seen anywhere in my life. (When the audience is laughing in Act V of *Macbeth*, you know something has gone seriously wrong.) What struck me most was how well Shakespeare plays in German. I'd gone to this performance with the specific purpose of testing for myself the power of Shakespeare in translation; German is the only foreign language I know well enough for me to do so. Once I adjusted to hearing the text in German—about halfway into Act I—I really felt I was listening to Shakespeare's play—just in another language. Perhaps Shakespeare doesn't adapt quite as well to other languages, but still I believe I learned something important from my experience in Frankfurt. I had some concrete evidence for the traditional claim for the universality of Shakespeare's genius, epitomized in Ben Jonson's famous line: "He was not of an age, but for all time." Here I was, 390 years after Shakespeare's death, seeing one of his plays performed in a foreign country and in a foreign language, and yet it was truer to the original than a production I'd seen in his home base of London five years earlier.

This impression of Shakespeare's universality is confirmed by what Groß and Wilms say in their production's program. They stress how "up-to-date" ("aktuell") Shakespeare is. Wilms

even calls Lady Macbeth "hochaktuell" ("highly up-to-date"), although he tactfully declines to go into any detail after he briefly draws a parallel to Angela Merkel, Germany's first female chancellor. In their effort to find contemporary relevance in Shakespeare, Groß and Wilms avoid any cheap shots, and dwell on genuinely broad themes. Wilms says: "The play tells a lot about contemporary power, conflicts and politics, precisely the thin veneer of civilization, which at any moment can break down." He cites the American experience of September 11 as an example of what he thinks *Macbeth* illustrates—the way political violence can suddenly erupt in the "private sphere" of domestic life and destroy it (accordingly, the production is set at first in what is supposed to be Macbeth's living room). Wilms even raises the possibility of presenting the witches as members of the Taliban (complete with veils!), but he wisely decided not to stage *Macbeth* in purely contemporary terms. He finds the timeliness of *Macbeth* in its timelessness—the way it's rooted in universal human experience. He is particularly struck by the symbolism of the moving forest of Birnam, which he regards as a "wonderful image for a modern war" and for the way the civilized world can unexpectedly be invaded by non-civilized forces from beyond its borders.

Raining on Shakespeare's Parade

FOREIGN PRODUCERS OF SHAKESPEARE like Groß and Wilms evidently don't find his work alien to their own experience, and, given the popularity of the plays around the world, the same may be said of theater audiences everywhere. As far as I can tell, the only people intent on questioning the timelessness of Shakespeare's plays today are literature profes-

sors in the English-speaking world. In recent decades it has become increasingly fashionable among Shakespeare scholars to deny that there is anything intrinsically great or universal in his plays. They view Shakespeare as a product of the narrow horizons of his own day, and label him a distinctly English phenomenon. Indeed his greatness is often treated as a cultural construct, something invented or even manufactured in England. His plays are said to be the product of a culture industry, which first imposed his works on England, then on the English-speaking world, and finally on the whole globe, as if he were a skillfully marketed commodity, the Guinness Stout of the Renaissance.

In this view, Shakespeare is the ultimate Dead White European Male. He was canonized by the cultural establishment of England and then used to impose English values around the world (especially throughout the British Empire). In their efforts to cut Shakespeare down to size, and find something contingent, even arbitrary, in his reputation, Shakespeare scholars sometimes speak as if the cultural establishment could have taken any one of his contemporaries—say, Ben Jonson or Thomas Middleton—and through clever packaging and marketing built him into the world's most famous poet. Talk about biting the hand that feeds you! The only reason the general public pays attention to Shakespeare scholars is for their help in understanding his greatness, and yet some of them are now actively engaged in debunking that greatness as a cultural myth.

Since outsiders may have trouble believing that the literary critical establishment is so cavalierly shooting itself in the foot, I need to quote some examples. In a book intended to introduce general readers to *King Lear*, published in 1995 by Northcote House in their series "Writers and Their Work," Terence Hawkes ominously entitles the last chapter "Instead of a Masterpiece." As a historicist, Hawkes rejects any notion of the greatness or the universality of *King Lear*:

Yet no historicist view of the play can countenance such "universalist" attributions of permanence, or such "essentialist" claims to the transcendence of time, location, and way of life.... Any consideration of *King Lear's* stage history before the twentieth century will immediately cast doubt on the assumption that the play is clearly and transcendently recognizable as a "masterpiece".... In other words, *King Lear* turns out to be a text whose history, in terms of stage performance, critical response, and its own material existence, quite clearly lacks the sort of continuing identity and coherence that we expect great works of art to have.

Knowing what sells books, the publisher Northcote is less than candid with potential readers. The volume's back cover proclaims: "*King Lear* is generally thought to be Shakespeare's masterpiece"—with no indication that Hawkes devotes the book to debunking that old-fashioned notion.

For anyone interested in sampling the way contemporary scholars attack the Shakespeare myth, a good place to start would be a collection of essays called *The Appropriation of Shakespeare: Post-Renaissance Reconstructions of the Works and the Myth* (1992). In her introduction, the editor, Jean Marsden, generalizes from the case of Shakespeare to debunk any notion of literary greatness:

While these essays deal only with the fate of one writer, the patterns they trace are not limited to Shakespeare. These patterns suggest that our vision of our most revered literary figure is largely defined by causes outside the text, causes which determine even which literary qualities we value most. The extra-literary nature of these determinants calls into question the cult of the author, not just of Shakespeare, but of any and all authors. Examined more closely, veneration of an author has as much to do with his or her potential as a cultural hero who can be appropriated to serve our non-literary needs as with literary "greatness." Thus the existence of a culturally defined "Shakespeare" illustrates our need for myths as well as the way we use these myths once they are established.

The way scholars like Hawkes and Marsden feel compelled to put words like *universalist*, *masterpiece*, *greatness*, and even *Shakespeare* in scare quotes epitomizes the debunking trend in contemporary literary criticism.

Shakespeare in Tokyo

THESE ISSUES WERE CRYSTALLIZED FOR me when I attended the World Shakespeare Congress in Tokyo in 1991. One might have thought that the very existence of this conference, with scholars from all over the globe in attendance, was eloquent testimony to Shakespeare's universality. But many of the Shakespeare scholars from Britain, the United States, and Canada balked at drawing that conclusion. They actually seemed apologetic, especially to our gracious Japanese hosts, for in effect imposing this event on the rest of the world. They seemed embarrassed by the worshipful way Shakespeare was being treated, and, although never this explicit, seemed to

want to say something like: "We're so sorry to have forced you to make such a fuss over Shakespeare; he's really not that big a deal and we're sure that each of your nations has a poet just as good, if not better." By contrast, the Japanese and other Asian scholars were thrilled to have the opportunity to honor Shakespeare. I came away from the conference with an impression that was at first paradoxical—Shakespeare seemed to be *least* appreciated in the English-speaking world. But a moment's reflection suggested what was happening—Shakespeare was being taken for granted by his linguistic compatriots, but the rest of the planet was still caught up in the excitement of discovering and coming to appreciate his genius.

Thanks to the careful planning of our Japanese hosts, that week in Tokyo I had my first chance to see a live performance of Shakespeare in a foreign language. It was an adaptation of *King Lear* in Japanese, directed by J.A. Seazer and performed at the Panasonic Globe Theater (even I have to admit that occasionally Shakespeare does get mixed up with multinational capitalism). Since my knowledge of Japanese is extremely limited—pretty much to the word for "bullet train"—this performance didn't give me the opportunity to test how Shakespeare's text plays in a foreign idiom. Nevertheless, I remember this evening as one of the greatest theater experiences of my life. If Akira Kurosawa had gotten together with Bertolt Brecht and a Balinese shadow-puppet master to stage *King Lear* as a Chinese opera, it couldn't have been wilder or more eclectic than this production. I'm sure that much was lost in translation—and the cutting of the text—but the production had a raw, elemental power that captured perfectly one element of the play's greatness. (And how often do you get to see Goneril nude on stage, as we did that night?) In many respects, this *Lear* was even better evidence than the *Macbeth* I saw in Frankfurt of Shakespeare's ability to transcend cultural borders. The production had found a way to translate Shakespeare into a language far more remote from English than German; and in the way it melded a variety of dramatic traditions from around the world, it turned Shakespeare into a truly global phenomenon.

Back at the conference, I was also impressed by the way a number of the Shakespeare scholars from Asia reacted to the representatives of the English-speaking nations. Feminist scholars from Britain, the United States, and Canada raised the issue of Shakespeare's sexism—the oft-heard argument that he represents an exclusively masculine viewpoint and reflects his age's prejudices against women. For that reason, the English-speaking scholars regarded Shakespeare as complicit in the ongoing oppression of women around the world and hence

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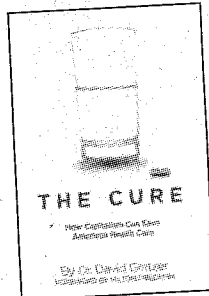
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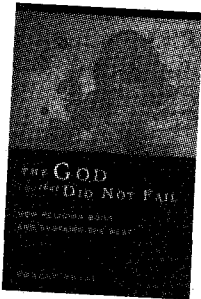
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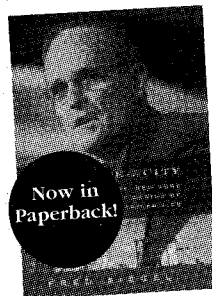


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as a reactionary cultural force. I remember one woman standing up at a session—I believe she was from Malaysia—and recounting how important Shakespeare had been to her and her family as political dissidents in their community. They drew strength from their reading of Shakespeare to challenge the reigning dogmas of the regime under which they lived. For them, Shakespeare was a great liberator, not an oppressor.

Macbeth as Liberator

THE SAME IDEA CAME UP IN A NUMBER of the seminar papers presented by a significant contingent of Eastern European scholars at the conference. Zdenek Stríbrný, from Charles University in Prague, gave an especially interesting paper on "Shakespeare as Liberator—*Macbeth* in Czechoslovakia." He pointed out that *Macbeth* has been popular among the Czechs almost from the beginning. The first translation of the play into Czech was published in Prague in 1786. The Czechs in fact made *Macbeth* their own and in general turned to Shakespeare as a way of establishing their legitimacy as a culture. In their efforts throughout the 19th century to translate Shakespeare, as Stríbrný writes, "they wanted to prove to the whole nation and the world that the Czech language was capable of coping with the highest achievements of European culture, even though it was, by that time, practically abandoned by higher society and spoken only by common people." (As part of the Habsburg Austro-Hungarian Empire, the Czechs were forced to use German as the official language of business, politics, and high culture for much of the 19th century.) In short, the Czechs did not regard Shakespeare's plays as something imposed on them. Rather they embraced these foreign works as a way of cultivating their own identity and freeing themselves from the hegemony of German culture.

Stríbrný went on to show that at later moments in Czech history, Shakespeare in general and *Macbeth* in particular proved to be a rallying point for the Czech people. At the midpoint of World War I (1916), the Czechs chose to celebrate the 300th anniversary of Shakespeare's death by producing 15 of his plays at the National Theater in Prague. According to Stríbrný, Macduff's triumph at the conclusion of *Macbeth* served "to infuse [the Czechs] with confidence that the end of war and usurpation was approaching. As a whole, the 1916 Shakespeare cycle of the Prague National Theatre grew into a cultural demonstration indicating that, after three hundred years of subjection, the Czechs were ready to take their culture and, by implication, their government into their own hands."

The Czechs again turned to *Macbeth* for inspiration during the darkest days of World War II and the Cold War. After the German annexation of Czech territory in 1938, a production of *Macbeth* in Prague in October 1939 served as a protest against Nazi tyranny. Both the costuming and scenery, by conjuring up images of the SS and the swastika, called attention to the Nazi takeover and its brutality. Staging *Macbeth* served as a form of protest once again during the era when Czechoslovakia was dominated by the Soviet Union, especially after Russian troops occupied the country in 1968 to crush the liberation movement known as the Prague Spring. Stríbrný discussed a performance of *Macbeth* organized by the dissident playwright Pavel Kohout in 1978 at a private home (he had been denied access to the public theaters). This production has been made famous by Tom Stoppard (himself a Czech by birth) in his play *Dogg's Hamlet, Cahoot's Macbeth*, the second half of which dramatizes Kohout's courageous staging of *Macbeth* and the attempt by the secret police to shut it down. Stríbrný quotes Kohout discussing his decision to stage *Macbeth* in the face of Communist tyranny; he said that he and his fellow actors chose the play "to lead them through the labyrinth of time, which was out of joint, to a catharsis uplifting their downcast souls."

Stríbrný's *Shakespeare and Eastern Europe*, published by Oxford University Press in 2000, is a lucid and detailed study of how Shakespeare has been received in a series of foreign cultures generally thought to be quite alien to the English-speaking world. The case of the Czechs turns out to be typical. Far from representing the cultural establishment in Eastern Europe, Shakespeare provided a way of subtly criticizing it and sometimes rebelling against it, particularly in the Soviet Union. As Stríbrný summarizes his conclusions: "The chapters on Shakespeare under the Bolsheviks and behind the Iron Curtain prove the amazing adaptability of his plays to any political system but also the way his humanism can expose 'the whips and scorns of time,' the 'oppressor's wrong,' and the 'insolence of office.'" In one of the most notorious incidents of artistic repression in the Soviet Union, in 1936 Stalin condemned a widely successful opera by Dmitri Shostakovich and had it banned. The opera was *Lady Macbeth of Mtsensk*, based on a short story by Nikolai Leskov with the same name, a 19th-century transposition of Shakespeare's plot to a Russian setting. Evidently Stalin was sensitive about a portrayal of a domestic tyrant on the stage, especially when he ends up murdered in Act II. Even in a foreign language and twice-removed from the original, *Macbeth* still had the capacity to rattle the most cold-blooded of all tyrants. Scholars

have been debating whether Shostakovich was truly a dissident artist, but apparently Stalin for one was deeply suspicious of the way the composer was using Shakespeare.

The Historicist View

FROM ALL AROUND THE GLOBE—FROM Frankfurt to Tokyo, from Prague to Moscow—we have testimony to Shakespeare's power, his ability to move people of all nations, to inspire them, to shake them out of ingrained modes of thought and feeling, to give them the strength to question and challenge authority. Above all, we see how Shakespeare remains politically relevant to a wide variety of situations around the world; he seems to be taken most seriously by people who find themselves in the middle of a crisis and, in particular, who feel their liberties threatened. Such proof of Shakespeare's enduring relevance flies in the face of the claims made by those scholars who insist his universality is a sham, a kind of cultural myth. We must assume that only a set of theoretical presuppositions could be blinding them to such an obvious truth. (Evidently Shakespeare's art is a classic case of something that works well in practice, but not in theory—at least in literary theory.) These scholars turn out to be operating with a false conception of culture.

That conception is rooted in the philosophical position known as historicism, the idea that all thought is not simply conditioned by historical circumstances but is actually determined by them. In the historicist view, a culture is like the cave in Plato's *Republic*—it sets the limits of a people's horizons. They cannot see beyond the images their particular culture develops and projects on the wall of the cave. According to this understanding, Shakespeare was an Elizabethan Englishman and hence his intellectual horizons were limited to those of Elizabethan England. To interpret his plays, we must first and foremost understand what was on the minds of people living in his day and how they thought about the issues that concerned them. (The majority of Shakespeare scholarship today is devoted to exploring this kind of question.)

One can immediately see why Shakespeare's worldwide influence leaves historicists puzzled. If their understanding of culture is correct, why should someone in modern Tokyo have any interest in plays written by someone in London in the late 16th or early 17th centuries? Indeed, if all cultures are self-contained and, as it were, hermetically sealed off from each other, how could someone in modern Tokyo even begin to understand something written in Elizabethan England? Of course, no one doubts that it can be very difficult for people from one culture to understand the products of another culture, es-

pecially one remote in space and time. That is why the Japanese need translations of Shakespeare, together with notes, glossaries, and other explanatory aids. But sometimes what appears to be cultural remoteness may turn out to be a form of cultural proximity.

The Japanese are historically much closer to the kind of feudal society Shakespeare portrays in many of his plays, especially in the English histories and tragedies like *King Lear* and *Macbeth*—Japan was ruled by a military aristocracy well into the 19th century and by a divine emperor until 1945. I've always thought that the success of Akira Kurosawa's Shakespeare films, *Throne of Blood* (1957; based on *Macbeth*) and *Ran* (1985; based on *King Lear*), can be traced to the fact that he had a sounder grasp than European and American directors of the nature of the societies depicted in those plays. Warring nobility and kingship based on divine right were quite alien to most Europeans and Americans by the 20th century, but they are concepts fundamental to understanding the poet's histories and tragedies. Having been born in pre-1945 Japan, Kurosawa was more familiar than most Westerners with the kind of crisis and breakdown of a feudal order that Shakespeare dramatizes.

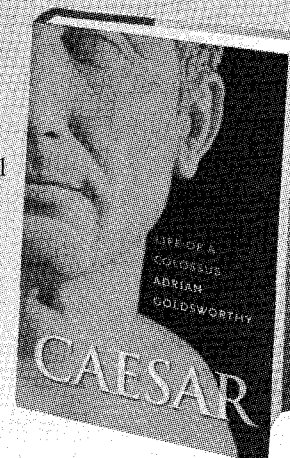
This phenomenon might provide a way for historicists to try to explain away the impression of Shakespeare's universality as a kind of temporal illusion. By a fortuitous concatenation of circumstances, a people at a later date might be at the same stage of historical development as the Elizabethans, thus putting them in a favorable position to understand Shakespeare's drama. But one would be hard-pressed to extend this kind of explanation to the Soviet Union, and the Czechs in the 19th century, and all the other cases we have seen of foreign cultures drawn to Shakespeare. And in its strict and only logically consistent form, historicism must—and usually does—insist on the uniqueness of all cultures, so that no two cultures can genuinely be at the same stage of historical development, no matter how similar they may seem. For all the parallels between feudal Japan and feudal England, one must insist on equally fundamental differences between the two regimes. And so we are back where we started—because Shakespeare is culturally alien to the Japanese, it is very difficult for them to understand him.

Yet it is not impossible. This is shown by the excellent scholarship on Shakespeare coming out of Japan (as was evident at the Tokyo conference in 1991) and above all by Kurosawa's films, which frequently get to the essence of Shakespeare more profoundly than the efforts of Western directors. Like everyone else on the planet, the Japanese have certain advantages and certain disadvantages in trying to understand Shakespeare. It is not an easy task for anyone. It

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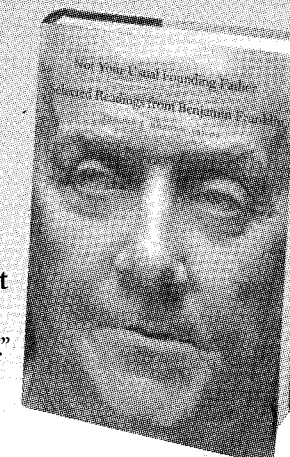
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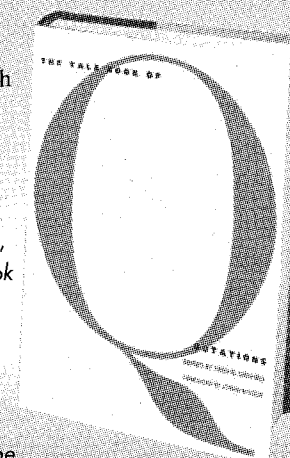
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requires an intense effort, and the best stimulus to that effort is recognizing Shakespeare's greatness and universality. Only if one realizes how much there is to learn from Shakespeare—at all times and in all places—will one make the kind of effort required to understand his plays. I think back to Strižbrný's impressive achievement in 1991—the edifying sight of a Czech scholar speaking in English in Tokyo to an audience from several different nations about the reception of Shakespeare in the Slavic world—and not merely making sense but providing genuine insights into the power of *Macbeth*.

"This can't be happening" is what the historicist scholars at the conference should have been thinking, if they were true to their philosophical premises. On theoretical grounds they should have insisted that meaningful dialogue about Shakespeare could not have been taking place among people from such disparate cultures. Yet that is exactly what was going on. As critics of historicism since Karl Popper have insisted, it works by exaggerating a difficulty into an impossibility (more precisely, a difficulty in practice into an impossibility in theory). In a strict historicist view, only an Elizabethan Englishman should be able to understand Shakespeare properly. In view of this *reductio ad absurdum*, let's examine more closely the way historicist scholars conceive the interaction of Shakespeare and a reader or an audience, beginning with the receiving end of the bargain. In the attitude I saw at work at the Tokyo conference, an author is viewed as dominating and mastering his audience. Ever since Michel Foucault, literary scholars have been infatuated with the idea of literary relations as power relations. The reader is a passive receptacle, who submits tamely to the author's authority. Contemporary literary critics are obsessed with the issue of Western imperialism and thus picture literary influence as a kind of colonization. A canonical Western author such as Shakespeare is seen as penetrating the hitherto self-subsisting culture of a country like Japan, occupying it and conquering it.

The unspoken premise of this view is that people in foreign lands are content with their native cultures and have no interest in being exposed to different views of the world. This may be true of the majority of people in any given culture, but we know it is not true of all. Just as historicism confuses difficulty with impossibility, it goes wrong when it blurs the distinction between the extraordinary case and the average case. Historicists in fact take their bearings from the average run of humanity, who are average precisely because they accept conventional opinions at face value. But there are always dissidents in any culture—sometimes extraordinarily courageous dissidents—who challenge its basic assumptions, even in totalitarian regimes,

which seek brutally to suppress any deviation from authoritative opinions. That may explain why Shakespeare has been especially attractive to people suffering under foreign domination and domestic tyranny. In any event, the record shows that people do not accept Shakespeare passively. Rather, as we have seen, Shakespeare is assimilated into foreign cultures in a continuous process of *adaptation*. Foreign producers feel free to rework and remake Shakespeare for their own purposes and in the new context of a different culture. The history of Shakespeare's reception around the world is a chronicle, not of cultural passivity, but of creativity of the highest order. Many regard *Ran* as Kurosawa's masterpiece as a director.

Escaping the Cave

THUS, AS WE HAVE SEEN IN OUR BRIEF survey, Shakespeare most often crosses the border as a liberator, not a conqueror. Indeed, cultural exchange is generally more like free trade than imperialism. To the Czechs in the 19th and 20th centuries, unhappy with a culture dominated by the Austro-Hungarian Empire and then by Nazi and Communist tyranny, Shakespeare provided a breath of fresh air in an otherwise stifling environment. Historicists always stress the integrity of a culture and treat it as a seamless whole, set apart from the rest of the world. There is something to be said for wholeness in culture, and it has been celebrated ever since the German Romantics and their nationalist aspirations. But we should always remember that the wholeness of a culture can become a prison for those living within it—that is the fundamental insight of Plato's parable of the cave.

The parable acknowledges the one kernel of truth in historicism—that most people in a community are the captives of its authoritative opinions. But Plato sees beyond this fact to something more important: in any community there are some people who long to escape from the confines of the cave, to question authoritative opinion and search for genuine knowledge. These are the people Plato calls philosophers, and Socrates was his chief example. Plato criticizes the poets in the *Republic* for being, in effect, the prime builders of the cave. In their eagerness to please their audience, they give eloquent expression to its presuppositions and prejudices, hoping to win its applause by flattering its communal pride. But Plato subtly raises the possibility of a truly philosophical poet, who, like Socrates, would not rejoice in what would today be called his native culture but would instead question its assumptions to the core. Shakespeare turned out to be that kind of philosophical poet—not the first, and not the last—but certainly the greatest.

Ever since, Shakespeare has served as a beacon for those around the world trying to find their way out of the cave. In some ways his effect is most potent in foreign lands. The initially alien character of his works helps give people in other countries a fresh perspective on their native culture and opens up a new world of thought to them. No wonder people all over the globe flock to his plays. To the scholars who apologize for the way the West has exported Shakespeare to the rest of the world, I pose this question: would it have been better if we had somehow held back Shakespeare, in some bizarre form of cultural quarantine? That would in fact have been a cultural injustice of monumental proportions. Fortunately there is no way to prevent other cultures from importing Shakespeare. The world does not need protection from Shakespeare. Indeed it is highly patronizing to other cultures to assume that they're so fragile that they can't absorb Shakespeare and benefit from contact with his works.

The historicist model of culture is fundamentally flawed. Far from being self-contained and monolithic, most cultures are open to outside influences and as a result become multivalent and hybrid in character. Japan is often cited as the model of a closed society, and indeed from the 17th to the 19th century the Japanese ruling class did pursue a policy of cultural exclusion, in particular trying to stave off Western culture. There were many cultural benefits to this policy—the various arts did flourish and maintain their integrity and authenticity under the Tokugawa Shogunate during the Edo period. But ultimately cultural protectionism can result only in cultural stagnation, and the Japanese elite eventually realized—admittedly with some prodding from Commodore Perry and the U.S. Navy—that the country was, disastrously, falling behind the West, especially in science and technology. The result was their decision in the second half of the 19th century to modernize Japan under Western influence.

But the idea that Japan ever represented some kind of purely native culture is a myth. From ceramics to religion, from calligraphy to cuisine, from architecture to language itself, classic Japanese culture reveals the heavy influence of Chinese, Korean, and other models. After all, Buddhism is not native to Japan. It turns out that the prime example of a closed-off culture is in fact a tribute to the power of cultural assimilation and hybridity. The reason the Japanese elite believed it had to seal the country's borders is that Japanese culture may well be the most assimilative on earth. This became evident—for good and ill—in the 20th century, once Japan's borders were opened to outside influence. One of the great emerging stories in the arts in the 21st century is Japanese-American cultural fu-

sion in such areas as video games, animation, and comic books—the development of what is being called a Pacific Rim culture. We have to bear this larger cultural context in mind in order to assess the immense popularity of Shakespeare in Japan. As with every other Western influence, the Japanese have come under the “domination” of Shakespeare, but they have also known how to assimilate Shakespeare and make him their own. The *King Lear* I saw in Tokyo was living proof of that. Human beings are of course creatures of habit and often cling to their ancestral ways. But they also have an inherent curiosity and eagerly inquire into and embrace whatever is most alien to their familiar existence.

Expanding Horizons

IF HISTORICISM GETS THE RECEIVING END of cultural interchange wrong, it also misconceives the creative end. Just as cultures are not self-contained, authors, too, are open to foreign influences. This is especially true of Shakespeare. Perhaps the principal reason he appeals to a worldwide audience is that his own horizons pushed to the limits of the world as he knew it. Naturally he betrays signs of being an Elizabethan Englishman—in his language, in his factual knowledge, in some of his preoccupations. He was an Englishman writing for an English audience; accordingly, his histories deal with English subjects and constitute a substantial portion of his output—ten out of 37 plays. Other plays, such as *King Lear*, *Macbeth*, and *Cymbeline*, might also be said to take up English history, albeit in more mythic form. But for all the English content in his work, what is truly remarkable about Shakespeare is the geographical and historical range of his remaining plays.

If we judge by the subjects he chose to portray, Shakespeare, far from being a provincial Englishman, was deeply interested in the alien, in what was genuinely remote from his experience as an Elizabethan. Half his tragedies are set in the ancient world, and constitute a sustained and profound effort to understand and depict what made it different from the modern. Famous critics like Samuel Johnson and Goethe have claimed that Shakespeare’s Romans are simply Elizabethan Englishmen dressed up in togas, but they are wrong. As I have shown in detail in my book *Shakespeare’s Rome: Republic and Empire* (1976), despite a few anachronistic details like a clock striking or caps on the heads of working men, Shakespeare displays a remarkably accurate knowledge of ancient Rome—undoubtedly derived from his careful reading of Plutarch and perhaps indebted to reading in authors such as Livy and Machiavelli as well.

Shakespeare understands, for example, the differences between the republican and impe-

rial regimes in Rome, and even grasps the subtleties of their operation (such as the tribunes’ role in the Republic and how this changed between the time of Coriolanus and the time of Julius Caesar). Above all, Shakespeare fully understands the implications of the fact that the ancient Romans were not Christians. If they were simply Elizabethan Englishmen in disguise, they would hardly look upon suicide as a noble act, and embrace it with an eagerness that completely eludes a modern Christian in Shakespeare, such as Hamlet, for whom “the Everlasting” has “fixed His canon ‘gainst self-slaughter.” When Horatio wants to follow Hamlet into death, he knows to say: “I am more an antique Roman than a Dane.”

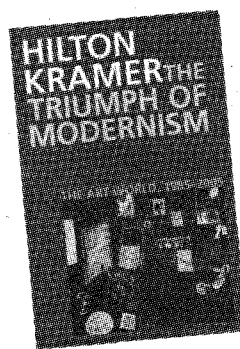
In his Venetian plays—*The Merchant of Venice* and *Othello*—Shakespeare explores a phenomenon that was new in his day: a commercial republic. If Venice itself wasn’t alien enough for Shakespeare to investigate, he concentrates in both plays on the problematic status of an alien within the Venetian community. Shylock as a Jew and Othello as a Moor challenge the purportedly cosmopolitan city’s claim to welcome foreigners. Shakespeare has been accused of anti-Semitism for his portrait of Shylock and racism for his portrait of Othello, but in fact these characters offer perhaps the best evidence of the extraordinary

range of his dramatic sympathies and his ability to represent realms of experience utterly foreign to Elizabethan England. One has only to compare Christopher Marlowe’s Barabas in his *The Jew of Malta* with Shylock to see the difference between a racial stereotype and a sincere effort to portray an alien as a rounded character, with faults as well as virtues, to be sure, but as fully a member of the human race. Shakespeare gave Shylock a moving expression of the humanity he has in common with the Venetian Christians:

Hath not a Jew eyes? Hath not a Jew hands, organs, dimensions, senses, affections, passions?—fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? If you tickle us, do we not laugh?

Did the average Elizabethan think this way about Jews before Shakespeare wrote these lines? But Shakespeare was not an average Elizabethan Englishman; we would not be reading him so avidly if he had been. The historicist view of literature lands us in a colossal irony—we turn to Shakespeare precisely because he is

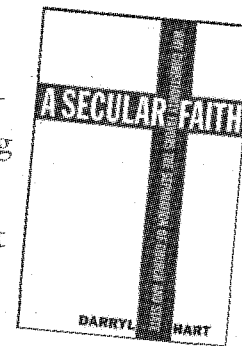
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an extraordinary writer, and then critics do all they can to reduce and assimilate him to the case of the average man of his day.

I could go on documenting the wide scope of Shakespeare's plays, but let me confine myself to one last aspect of his extraordinary achievement. In references scattered throughout his plays, he shows that he knew he was living in the great age of European exploration and discovery. Even if Shakespeare's geographic knowledge was limited to European horizons, in his day those horizons were expanding at an unprecedented rate and beginning to take in the whole globe. Modern nation-states were just beginning to take shape in Europe—France was the first. In fact the major powers in his world were not nation-states at all, but the two great multinational empires that divided up the Mediterranean—the Habsburg Empire and the Ottoman Empire. In the 16th century these empires were still expanding, which brought them into conflict all over the Mediterranean, including North Africa. In short, Shakespeare's world was more global than we tend to realize. The now familiar national borders in Europe had not yet taken shape; indeed, they were in continual flux. In this world of fluid borders, Shakespeare was not bound by the limited horizons of the nation in which he happened to be born.

O Brave New World

SHAKESPEARE'S PLAYS SHOW THAT HE WAS well aware of what was happening in the New World. Although *The Tempest* is set somewhere in the Mediterranean, the play draws upon accounts of the earliest English attempts to colonize the Americas. In the meeting between Caliban and the Europeans, Shakespeare stages a cultural encounter that in retrospect looks uncannily prophetic of what was to become the history of European imperialism—so much so that the imperialist theme has come to dominate academic study of *The Tempest* today. Shakespeare's creation of Caliban is evidence that nothing human—indeed nothing subhuman—was alien to him. The measure of his imaginative power is his ability to take a character utterly remote from his personal experience and make him come alive on the stage—to make us feel that this character is acting just the way such a strange being—if he did exist—would act in real life.

In order to create such aliens on the stage, Shakespeare could not have been bound by the horizons of Elizabethan England. His plays demonstrate how open he was to foreign ideas and influences. We don't know exactly which languages he knew—personally, I like to take a wild guess that Shakespeare had a facility for picking up languages—but he appears to have

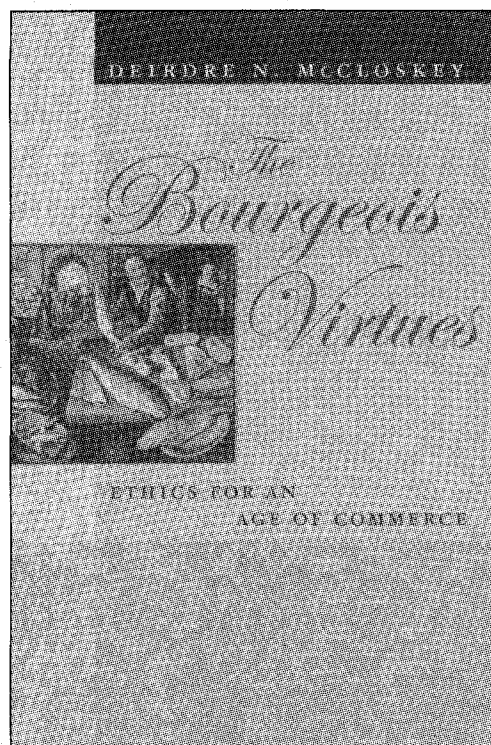
drawn upon Latin, Greek, French, and Italian sources, and perhaps works in other languages as well (maybe all in translation, maybe not). In his portrayals of Rome, Venice, and other exotic worlds, he is always awake to the issue of cultural difference, while at the same time searching for whatever elements of common humanity he can find, even at the frontiers of the world known to him. The world has rewarded Shakespeare for his remarkable openness to its range and diversity—the world has in turn become open to Shakespeare. He tried to understand the whole world as he knew it, and now the whole world tries to understand him. The poet of the world has become the world-poet.

I have a few concluding words for my fellow Shakespeare scholars. Sit back and enjoy the spectacle of his universality. Stop debunking the source of your livelihood. In contemplating the intense efforts of foreigners to come to terms with Shakespeare, take a cue from the playwright himself in his sonnet 116: "Let me not to the marriage of true minds / Admit impediments." And one last bit of advice for everyone: if you're ever in Frankfurt, skip the soccer and go see a performance of Shakespeare in German. You'll learn who really wins the World Cup.

Paul A. Cantor is Clifton Waller Barrett Professor of English at the University of Virginia.

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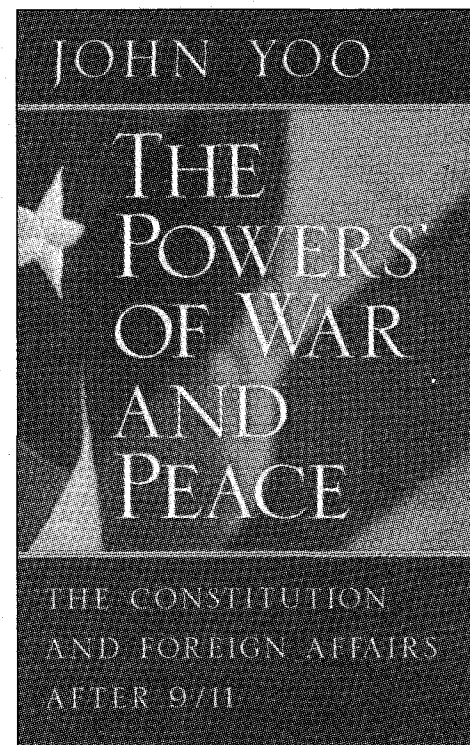
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BOOKS IN BRIEF

All American Colleges: Schools for Conservatives, Old-Fashioned Liberals, and People of Faith, ed. John Zmirak. ISI Books, 450 pages, \$22

Why does America need another college guide? The answer is in the subtitle to the Intercollegiate Studies Institute's fine new entry in this crowded field. This volume fills an important niche and will be greeted warmly by students and parents desperate for reliable information on institutions of higher learning that educate for liberty, including the formation of young souls with the capacity to choose well.

The guide concentrates on what is taught and how it is taught. Readers aren't deluged with reams of mostly meaningless institutional data that can easily be gleaned elsewhere. In deciding which schools to include, the editors looked for course requirements that span the curriculum, as well as serious departmental requirements. They also looked for gifted teachers, including the "eloquent generalist." The fifty schools surveyed range from the famous (Princeton) to the obscure (New Saint Andrews College), to many in between (including my own institution). For the most part, the guide does not cover the usual suspects, because it is interested in places that "build up one's character as well as one's resumé." Schools whose main recommendation is their reputation don't make the cut.

As with many college guides, evidence is anecdotal but probably accurate. The editors have done their own legwork when it comes to each school's basic orientation and curricular structure, but then rely largely on student reviews of departments, professors, and institutional practices. The book is not a series of love letters. The included schools come in for their fair share of lumps when deserved. As a bonus, the guide includes two fine essays that will reward anyone engaged in the search for a serious college: Louise Cowan's "The Necessity of the Classics" and Mark Henrie's "A Student's Guide to the Core Curriculum."

The good news for America, if not American colleges, is that good students are not fooled by much of the nonsense that is passed off as higher education. They know Mickey Mouse courses when they experience them, they recognize when teachers aren't teaching, they can identify social activism masquerading as scholarship, and they can spot an affirmative action hire from a mile away. The schools included here are places where teachers can still unashamedly hold up models of the great and the good that transcend the prejudices of our age.

—Bradley C. S. Watson
Saint Vincent College

John Dewey & the Decline of American Education: How the Patron Saint of Schools Has Corrupted Teaching and Learning, by Henry T. Edmondson III. ISI Books, 147 pages, \$25 (cloth), \$15 (paper)

John Dewey believed that education was the key to social change. Yet as Henry T. Edmondson effectively shows in his new book, Dewey could not defy the inherent contradictions of his own philosophy, which has left an indelible mark on American education.

Although Dewey likened himself to a modern-day Thomas Jefferson, he wholeheartedly rejected Jefferson's emphasis on cultivating personal independence and meritocratic statesmanship as the goals of public education. Instead, Dewey taught that textbooks, teachers, and the competition for grades inhibited students. Dewey's "practical teaching" emphasized cooperative learning and social adjustment. The result, Edmondson contends, is that our schools are "neither rigorously academic nor authentically vocational." They are mediocre at best.

A professor of public administration and political science at the Georgia College and State University, Edmondson recognizes that today's philosophical divide on education will take time to repair, but his book does not outline specific policies to reform Dewey's legacy. He quips that educators should simply adopt the medical philosophy, "First, do no harm."

—Diana M. Ernst
Pacific Research Institute

Talking Right: How Conservatives Turned Liberalism into a Tax-Raising, Latte-Drinking, Sushi-Eating, Volvo-Driving, New York Times-Reading, Body-Piercing, Hollywood-Loving, Left-Wing Freak Show, by Geoffrey Nunberg. PublicAffairs, 272 pages, \$26

U.C. Berkeley linguist Geoffrey Nunberg charges that conservatives have taken control of our political rhetoric. Not through control of popular literature, television, cinema, and America's universities, mind you, but through message discipline and think tanks. Conservatives, so the claim goes, have appropriated words and phrases such as "values" and "elites," and charged them with meanings that suit their political ends. As the author explains early on,

since the Nixon years "the decisive factor in American politics has been voters' apparent willingness to subordinate substantive interests to symbolic ones." (If this were really the case, of course, then Nunberg's complaint would be with the democratic process, not with rhetoric.)

Democrats and liberals, the book argues, "can't regain their political ascendancy except by either reclaiming the basic political vocabulary or replacing it with a new one." But consider the word "liberalism." Nunberg laments how Ronald Reagan so demonized liberalism that the term itself is now radioactive. Yet there is an obvious way to reclaim it: characterize the war on terrorism as a fight between (Western) liberalism and Islamic fascism. Nothing could be simpler. And nothing could be more antithetical to America's liberals, who are so compromised by cultural relativism that they can't bring themselves to make the case so starkly, let alone choose a side in the fight. The problem isn't how liberals talk, it's how they view the world.

—Jonathan V. Last
Weekly Standard

The Politics of Abortion, by Anne Hendershott. Encounter Books, 190 pages, \$25.95

In an incisive, eminently readable look at the polarization of abortion politics, University of San Diego sociology professor Anne Hendershott tackles the history, rhetoric, and interest-group wrangling surrounding the most divisive political issue of our day. "Not since slavery and the rise of the abolitionist movement has there been so bitter a culture war in this nation," she writes.

Hendershott's chapter on race is particularly enlightening, cataloging the pro-choice movement's attempt to "plant a culture of abortion in African American neighborhoods." Her account of the pro-choice opposition to General Electric's 4D Ultrasound imaging system demonstrates the lengths to which abortion proponents will go to undermine any popular acceptance of the fetus as an unborn child—a pro-choice war on science.

But *The Politics of Abortion* provides more questions than answers. For example, the author points out the role of revisionist Catholic doctrine in shaping the Democratic Party's Ahab-like obsession with abortion-on-demand,

but does not explain why the party—and its deeply divided constituency—accept revisionist Catholicism in the first place. In the end, Hendershott's suggestion that the pro-choice movement be "contained" and engaged rather than fought tooth and nail seems oblivious to her own snapshot of abortion politics; pro-choicers will not surrender national abortion-on-demand without a fight.

—Ben Shapiro
Cambridge, MA

labor. This is one of many instances, all ably detailed by Chan, where Hamilton acted nobly for a noble cause. Although Chan never quite bridges the gap between Aristotle's recognition of commerce as a necessity and Hamilton's advocacy of commerce as a matter of natural right, his book ought to prompt us to start thinking about commercial republicanism in new ways.

—Peter McNamara
Utah State University

wrong in the past 12 years goes deeper, alas, than the K Street Gang.

—Vincent J. Cannato
University of Massachusetts, Boston

Aristotle and Hamilton on Commerce and Statesmanship, by Michael D. Chan.
University of Missouri Press, 248 pages, \$44.95

What does America's commercial republic have to offer other than material prosperity? This is the central question of Michael Chan's intelligent, insightful book. Militarists, fascists, religious extremists, not to mention many philosophers of the Left and the Right have answered: *absolutely nothing*. Chan has a different answer. He believes justice, liberality, and nobility amounting to more than the so-called "bourgeois virtues" can go hand in hand with commercial republicanism. To make his case he looks at Alexander Hamilton's political and economic statesmanship in light of Aristotle's treatment of commerce. Increasingly, scholars have come to realize that Aristotle was more sympathetic to democracy than was once assumed. Chan urges a similar rethinking concerning commerce. He provides considerable evidence—for example, Aristotle's preference for Carthage over Sparta—to show that the philosopher's suspicions of commerce ought not be exaggerated. Chan draws particular attention to the institution of slavery, pervasive in the ancient world, arguing that on Aristotle's own terms it is seldom justified. This discussion carries over into his treatment of Hamilton who, as the author shows, not only opposed slavery in principle but was active in trying to end it, by advocating reform at the state level and by pursuing a national economic policy that would marginalize slave

The K Street Gang: The Rise and Fall of the Republican Machine, by Matthew Continetti.
Doubleday, 288 pages, \$24.95

Democratic critics latched onto the Jack Abramoff scandals to score political points; *Weekly Standard* writer Matthew Continetti uses them to illustrate how the Reagan-Gingrich Revolution went bad. It is a sobering tale of young, ideological conservatives who came to shrink government and change Washington, and who instead ended up betraying their principles and enriching themselves.

The book contains little first-hand reporting, but Continetti's strength is his fluid and engaging writing style, which captures the full range of shady, unethical, and illegal behavior. He reveals a deep and pernicious cynicism running through much of the "Republican Machine." One of the more damning, and underreported, stories is that of the Northern Mariana Islands. Conservatives touted this U.S. territory as the perfect laboratory for free-market policies. In reality, the island was little more than a large sweatshop, whose profits lined the pockets of conservative lobbyists who, in turn, operated a slick PR machine.

There is no doubt that Abramoff, Ralph Reed, Grover Norquist, and many other smaller players were guilty of excess and hubris. Nor is there any doubt that the battle for limited government has stalled. Yet it is not clear how pervasive this corruption was, beyond the usual vices that infect Washington no matter what party is in power. The answer to what went

The Reagan Imprint: Ideas in American Foreign Policy from the Collapse of Communism to the War on Terror, by John Arquilla.
Ivan R. Dee, 288 pages, \$26

This fascinating book contends that Ronald Reagan was an innovative strategic thinker, which will come as a shock to those who still cling to the caricature of a simple-minded actor reading his 3x5 cards. As president, he abandoned containment and mutual assured destruction and pursued instead a war of ideas designed to undermine the Soviet Union. John Arquilla, a professor of defense analysis at the U.S. Naval Postgraduate School, shows that Reagan understood the "power of words to change history" and that America's most potent weapon was telling "our story to the world." Reagan was not an ideologue, but intellectually supple, nuanced, and civil. In the end, he reached out to Mikhail Gorbachev and ended the Cold War without firing a shot.

At the same time, Arquilla criticizes Reagan's vacillating response to terrorism. The world might have been a different place if the president had listened to George Shultz, who as early as 1984 advocated preemptive attacks—primarily clandestine paramilitary strikes—against Islamic terrorists. Shultz was stymied by Caspar Weinberger and a tradition-bound Pentagon wedded to fighting conventional war. Arquilla claims that Reagan followed his instincts as a politician and not as a strategist and sought a bureaucratic compromise in formulating U.S. counterterrorism policy, with crippling results. In an odd way, it is a tribute to Reagan's great success that he is criticized for failing to identify and solve the problems of the new, post-Cold War world that he did so much to create.

—Stephen Knott
University of Virginia

Book Review by John O'Sullivan

DATELINE—GREENELAND

The Foreign Correspondent, by Alan Furst.
Random House, 288 pages, \$24.95



WILLIAM L. SHIRER, ONE OF THE great foreign correspondents in the great era of foreign correspondents, was standing near a woman on the balcony of the Crillon Hotel in Paris on February 6, 1934, when she suddenly fell down. She had been shot in the head. She and Shirer were in a group watching the Stavisky riots from what they doubtless assumed was the safety of a grand hotel. Both fascists and communists, some armed, were rioting that night. Gunfire rang out; a random shot found her.

This unknown woman was not the night's only victim. Edouard Daladier, the moderate left politician, who had just been sworn in as the latest prime minister of the Third Republic, resigned the next day. In his resignation letter he told the president that he was unwilling to order troops to fire on armed rioters who were trying to bring down his government.

These events are recounted on pages 5-7 of Shirer's justly renowned *Berlin Diary* (republished in 2002 by the Johns Hopkins University Press). They occurred about three weeks after he arrived in Paris to work for the *New York Herald*. It must have seemed to him that this was an extraordinary baptism of fire and the rest of his journalistic career would be dull by comparison. In fact this random killing captured the essence of the next 11 years as he witnessed them: the feebleness of democratic leaders (Daladier returned as prime minister to sign the Munich Agreement), the ruthlessness of the two totalitarian extremes, a European atmosphere of growing violence, anxiety and

suspicion, and political murder reaching from the streets to strike down the safest and most comfortable members of the bourgeoisie.

We feel we know this world because it has been described for us not only in histories of the period but also, more atmospherically, in the thrillers of Eric Ambler (*A Coffin for Dimitrios*, *Journey Into Fear*), the "entertainments" of Graham Greene (*Orient Express*, *This Gun for Hire*), and films like *Casablanca* and *Arch of Triumph*. It is a world of secret policemen and spies, frontier incidents and concentration camps, refugees and collaborators, honest journalists and corrupt newspapers. It is outwardly civilized—it boasts piped water, fast cars, and the radio—but there are Vandals and Visigoths under the smart suits and Balenciaga dresses.

ALAN FURST IS THE LATEST AND MOST scrupulous writer to describe this world for us. His is a very distinctive approach, closer to Greene than to Ambler, less the well-made thriller than a picaresque journey through Purgatory. A typical Furst story takes up a minor character at some moment of crisis—a Polish officer after the 1939 conquest of Poland, a liberal Hungarian diplomat around the time of Munich—introduces him to the demi-monde of secret intelligence, follows his progress in that world for some years, then abandons him a few years later just before or during the Second World War.

Furst has been rightly praised for getting both the "feel" and the details of the period right. In some respects his novels are like those

BBC serials in which the dress and set designers are as important as the scriptwriter. They are richly atmospheric.

Furst also gets the "feel" of the period right in a deeper sense by leaving his characters still struggling in a world where the Nazis are an ever-present threat. No one makes Victor Laszlo's promise in *Casablanca*: "Welcome back to the fight. This time I know our side will win." These characters don't know they will win the war and for most of the period they feel uneasily that they are very likely to lose it. Even the reader forgets that D-Day, Liberation, Glenn Miller, and Lucky Strikes are just around the corner. They belong to a very different world. And this amnesia gives Furst's novels a dark undertone of foreboding that crystallizes the period more exactly than any research.

All these virtues granted, Furst's novels have been criticized for lack of narrative drive. There is something to this criticism, which naturally sticks to the picaresque. People who would be main characters in more conventional thrillers drift in and out of the action without much happening to them. In *The Foreign Correspondent*, Furst's latest book, the head of Italy's fascist intelligence network sets the plot in motion with a political murder. Thereafter he is glimpsed occasionally through the windows of his limousine. He gets neither a medal nor his come-uppance and at the novel's end is presumably still cruising the Paris streets to ensure that his murders are successfully carried out. A traitor in the circle of Italian anti-fas-

cist exiles is unmasked. But this happens in a conversation after the circle has broken up for other reasons. Neither the traitor nor most of his dupes realize that he has been discovered. All that happens is that another member of the circle vows to bring him to justice once fascism has been overthrown—a relatively empty threat in 1939, when it is uttered. In short there is no neatly resolved plot that brings a series of events to a satisfying climax and in which each of the characters is punished or rewarded according to his deserts.

THIS CRITICISM OF NARRATIVE AIMlessness is less valid in relation to *The Foreign Correspondent* than to Furst's earlier novels. Previously, their central character—invariably an anti-fascist of some kind—is simply abandoned in mid-espionage. He may have just been given a new mission by London, like the Polish officer, but essentially he is still engaged in the struggle against Appeasement or the Axis. Furst's latest protagonist, however, is the "hero" in a self-contained story as well as a man of courage. Carlo Weisz is an Italian exile in late 1938 Paris where during the day he works for a British news agency and at night edits a small anti-fascist magazine which is then smuggled into Italy. His character is the familiar blend of idealism and cynicism we recall from Greene and Ambler. Not quite a burnt-out case, he is emotionally dry and stunted—something traceable to his sex life which is quite extensive but loveless. He is jolted back into genuine feeling, however, when he meets a former mistress on a journalistic mission to Berlin and promptly falls deeply in love with her.

Christa von Schirren is the anti-Nazi wife of a decent German aristocrat and a member of the nascent resistance to Hitler. The Gestapo seems to be aware of her activities and is closing in on her. Weisz decides that he must get her out to Paris. His chance arrives when British intelligence, foreseeing that it may shortly need to strengthen the Italian resistance to Mussolini, recruits Weisz and offers to build his modest magazine into a serious force. Weisz has the usual idealistic qualms about selling out and being used; he and his fellow exiles see the British as equivocal allies because realpolitik may dictate that they woo Mussolini to detach him from Hitler. But he takes the king's shilling (and risks returning to Italy to recruit a larger distribution network for the magazine) in return for London's rescue of his girlfriend from under the Gestapo's nose. The novel ends with Carlo and Christa reunited happily in his small Paris apartment.

It is a happy ending of sorts, more Ambler than Greene. But since the reunion of lovers occurs only a few months before the invasion

of Poland, it is hardly a conclusive ending. If they stay in Paris, Christa and Carlo will soon be interned by the French as enemy aliens and then handed over to the Germans after the fall of France. More likely, they will leave very shortly for London to work for Carlo's new friends in British intelligence. The struggle continues.

THIS STORY IS TOLD WITH FURST'S INvariable skill. The writing is crisp, the period details accurate, the atmosphere suitably full of foreboding. Real events are woven unobtrusively into the narrative. One of the advantages of making a foreign correspondent your hero is that he can be plausibly present at real historical events such as Hitler's seizure of Prague in early 1939—vividly pictured here. The total effect is persuasive: events like this really happened, people like this really existed, a nightmare was experienced in our own lifetime.

But how did this nightmare establish itself? Who worked for it? Who opposed it? And why? One standard feature of such stories was noticed some years ago by the Hungarian-Canadian writer and critic, George Jonas, in his critique of the film *Sunshine*. I quote from memory: "The fascist thugs in such stories are simply thugs, but the Communist thugs are figures of intriguing moral complexity." This is not here a complaint of political bias. None of the major figures in *The Foreign Correspondent* is a Communist. And Furst's bias is for civilization and against barbarism. Even so, we are given very little insight into such characters as the fascist intelligence chief whose assassination policy sets events in motion. Nazism, fascism, and their various offshoots were among the most powerful currents of modern history. They had a shattering impact on lives in all of Europe and half the world. But with a few exceptions—Irwin Shaw in *The Young Lions*, Arthur Koestler in *Arrival and Departure*—novelists have not sought to depict the interior life of Nazis or fascists.

It is easy to understand why. No one wants to give a sympathetic account of political mass murderers, and anyone who gives a realistic one risks being misunderstood at best. The portrait of Hitler in the film *Downfall* was denounced because it showed that the Führer had a human side to his personality as well as a demonic one. But the result of such nervousness, as Jonas pointed out, is that we get cardboard villains in black uniforms. That cannot be a satisfactory way of accounting for ideas and emotions that recruited both street barbarians and over-civilized intellectuals to make war on mere civilization. Such ideas and emotions may hibernate; they rarely die altogether.

If we cannot entirely understand the villains in Furst's world, we can identify them easily enough. But who are the heroes and what is "our side"? Some in Carlo's anti-fascist circle pass muster, but in addition to the fascist spy, there are doubtless some Communist ones. Being loyal to another totalitarian creed, they are on a third side to both ourselves and the Nazis. The British are equivocal because—remember, appeasement ends only with the seizure of Prague—they might be prompted by *raison d'état* to join the wrong side. So they are potentially on both sides. And as for America, that was summed up by Humphrey Bogart as Rick Blaine in *Casablanca*: "I bet they're asleep in New York. I bet they're asleep all over America." Since Rick was speaking in the small hours, Americans were not sleeping at all but eating dinner, listening to Benny Goodman, and laughing along with Jack Benny. In other words, the Americans were on no side. And, indeed, there is not a single American in *The Foreign Correspondent*. "Our side" is simply a handful of decent but understandably disillusioned liberals in all countries, including Nazi Germany.

NOT LONG AFTERWARDS, HOWEVER, the British and the Americans (soon to be christened "the Anglo-Americans" by perceptive Vichy propaganda) were struggling to end the nightmare. Though the state is (as de Gaulle said) "a cold monster" and though there is an irreducible minimum of realpolitik in the foreign policy of even the most idealistic nation, the moral atmosphere of both countries made their joining a struggle against Nazism likely and their joining an anti-Communist crusade alongside the Nazis an impossibility. Both were essentially liberal countries—and in the world described by both Shirer and Furst that distinguished them from continental Europe. The rules and restraints that constitute civilization had been breaking down across the channel under pressure from harsh new doctrines of violence, realism, and "action" since the mid-19th century.

The result was described, interestingly enough, by Eric Ambler in his thriller, *Background to Danger*. He put into the mouth of a British commercial traveler this trenchant cultural analysis:

People come over here for a fortnight's holiday and see a lot of pretty chalets and chateaux and schloesser, and say what a fine place it is to live in. They don't know what they're talking about. They only see the top coat. They don't see the real differences. They don't see behind the scenes. They don't see them when their blood's up. I've seen them all right. I was

in sunny Italy when the fascisti went for the freemasons in twenty-five. Florence it was. Night after night of it with shooting and beating and screams, till you felt like vomiting. I was in Vienna in thirty-four when they turned their guns on the municipal flats with the women and children inside them. A lot of the men they strung up afterwards had to be lifted on to the gallows because of their wounds. I saw the Paris riots with the garde mobile shooting down the crowd like flies and everyone howling "mort aux vaches" like lunatics. I saw the Nazis in Frankfurt kick a man to death in his front garden. After the first he never made a sound. I was arrested that night because I'd seen

it, but they had to let me go. In Spain, they tell me, they doused men with petrol and set light to them.

Nice chaps, aren't they? Picturesque, gay, cleverer, more logical than silly us.

Some allowance must be made here for chauvinistic exaggeration (the commercial traveler's, not Ambler's). But the sting in the tail really does sting. It was the rise and dominance of political "logic" in Europe that smoothed the path to torture and murders. Doctrines that argued all relationships were essentially about power, and that civilized restraints were therefore either sentimentality or hypocrisy, led naturally to a kind of logical brutality. It was "illogical" not to press home power over opponents to the

fullest possible extent because of restraints that were really *their* power in disguise.

Furst's world is the result. His Italian fascist spymaster cruising Paris to superintend his political murders has mastered the theory. In the end, of course, the theory failed. The struggle was won by "silly us" even though it took all of 50 years to defeat both sets of logicians. Odd to think that today a liberal professor of literature and media studies would probably be sitting alongside the spymaster, giving directions.

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Book Review by Eva Brann

THE APPRECIATIVE MODE

The Moral Imagination: From Edmund Burke to Lionel Trilling,
by Gertrude Himmelfarb. Ivan R. Dee, 288 pages, \$26

THE MORAL IMAGINATION IS A VERY engaging collection of a dozen essays on a dozen authors by a historian in the appreciative mode. Some pieces go back to the '60s, some are recent, all are substantially revised even to the point of recantation. They are full of interesting circumstance and thought-inducing reflection, but above all they are free of the historian's peculiar incivility: the cannibalizing of literary and philosophical texts for material incidental to them but useful to research. Gertrude Himmelfarb actually savors books as works; rather than subjugating them to professional depredations, she treats of them with pleasure and praise. A mark of this mode is her historian's holiday from chronology: George Eliot before Jane Austen, Michael Oakeshott before Winston Churchill.

She pairs the authors in various permutations for comparison and contrast, allowing them, in effect, to talk to each other. They are, in order of appearance: Burke, Eliot, Austen, Dickens, Benjamin Disraeli, J.S. Mill, Walter Bagehot, John Buchan, the Knox family, Oakeshott, Churchill, and Trilling (the only American).

What they all have in common is a "moral imagination" (a term introduced by Edmund Burke) and their distinctive varieties of con-

servatism. There are, for example, the new-fangled middle-class Tories, men who begin to be called Conservatives in the 1830s—"Tory men and Whig measures" as Disraeli, himself an old-fashioned Tory, defines them in his novel *Coningsby*. In his Tory adherence Disraeli makes a pair with John Buchan. (It is a delight to learn something of the dark complexity of Buchan, whose adventure stories have given me such acute pleasure, which I had ascribed to a residual juvenility in me.)

The moral imagination seems to run not incidentally but necessarily in tandem with a certain aspect of conservatism, what I think of as "imaginative conservatism." For "moral imagination," as contrasted with, say, "social conscience," is the representation to oneself of concretely visualized human conditions and consequences, as opposed to ideal rational constructions abstracted from living detail. But this imagination, the kind that is affirmingly receptive rather than strenuously constructive, is fed by remembered experience, be it worldly or fictive, and that means, in turn, that it is inevitably past-nurtured. Oakeshott, the most single-minded and most recent representative of this way of being, whose pairable predecessor is Burke, says:

The disposition to be conservative is, then, warm and positive in respect of enjoyment, and correspondingly cool and critical in respect of change and innovation; these two motivations support and elucidate each other.

Gertrude Himmelfarb is very far from being an ideological schoolmarm, but I wonder whether there is not lurking in these essays a gentle lesson to her fellow conservatives: If you mean to capture hearts rather than rouse anger, cultivate the imaginative kind of conservatism and its language.

THE ONE BRAND-NEW AND CENTRALLY placed essay of the book is subtitled "The Other Mill." Since Mill's "On Liberty" is liberal scripture, the juxtaposition of this, his best-known piece with "the other Mill," that is, with his writings before and after, is pretty stunning. Bluntly put: he is discovered to have encircled the main tenets of "On Liberty" with (unacknowledged) rebuttals, rebutting in particular his defense of that radical individualism whose issue in our day is the gospel of doing one's own thing. Ms. Himmelfarb, in the appreciative mode, credits him with often be-

ing "a better Tory than Tories themselves" and with being, therefore, that much the more intellectually interesting. But I wonder: in most of us, wouldn't such drifting in circles signify that the intellectual anchor had failed to take hold of any bottom?

The first essay, on Burke, contains a delightful surprise. The vindication of "prejudice" to be found in his *Reflections on the Revolution in France* can be put to work as an apology for orthodox Judaism. I won't reveal how this is done, but when it is done, you say to yourself: of course.

The inverted order of the next two essays enhances the reading of both authors. George Eliot's *Middlemarch* is "by common consent" her greatest novel. I would modify a little: it's just about the greatest English novel—except perhaps Jane Austen's six, especially the most artful of them, *Emma*. Reading *Middlemarch* and *Emma* out of sequence "is an exhilarating experience, perhaps even more so than reading them in their proper chronological order." For *Emma* read first might seem frivolous, while making *Middlemarch* feel intolerably solemn. Perhaps this perceptive historian might agree that imagined worlds have no "real-time" chronology in any case, and that is why such inverted readings are wholly in order.

THE ESSAY ON GEORGE ELIOT, SUBTITLED "The Wisdom of Dorothea," is concerned with the very question that our students, who one and all read the work, find so puzzling. Why does this Dorothea, a woman of some grandeur, find final fulfillment in being the helpmate of that charming, bohemian lightweight, Will Ladislaw? Is it enough to say that she loves him? Why does she; how can she? "Why," Ms. Himmelfarb asks, "could Eliot not have given us a Dorothea more congenial to a modern feminist?" It is, the answer comes, because "love and reverence" are the messages of *Middlemarch*. Eliot herself begins the novel with a prelude asserting that the time—the time of a middle-class *Middlemarch*—is not right for an epic life like that of St. Theresa—a very imperial nun, as our students discover when we bid them look up her life. Instead, "Here and there is born a Saint Theresa, foundress of nothing, whose loving heart-beats and sobs after an unattained goodness tremble off and are dispersed among hindrances, instead of centering in some long recognizable deed." So ends the Prelude, and the book itself ends with a reprise, applying the lesson to Dorothea. It is quoted at the end of the essay: "Her finely-touched spirit had still its fine issues, though they were not widely vis-

ible." And then comes that famous *apologia pro vita Dorotheae*: "[T]hat things are not so ill with you and me as they might have been, is half owing to the number who lived faithfully a hidden life, and rest in unvisited tombs."

"This is not a tragic ending," writes Gertrude Himmelfarb. "It is...eminently moral, even heroic." That seems very right to me: as Theresa founds sisterhoods, so Dorothea sustains a husband and a family, each in accord with the opportunities life offers—and who wouldn't rather live within the influence of Dorothea's "incalculably diffusive" benefactions than under the discipline of Theresa's very calculatedly expansive convent-foundings?

Yet—so capacious is the novel—there is another possibility, equally countermanning the half-melancholy of the Prelude, equally affirmative, though not so heroic: Dorothea is a somewhat untalented, traipsy, near-sighted young woman who doesn't quite know where she is going and steps on little dogs, doesn't learn her Greek very well, or focus on anything as fanatically as the grandeur of her vision would require, were it to come to tomb-visitable fruition. Surely George Eliot knew exactly what it takes actually to do a great work, not just to dream greatly, and she hasn't endowed her heroine with those capacities. This makes Dorothea a true *Middlemarcher* and far more lovable than the nun from Avila could possibly have been; it dissipates any air of resigned melancholy around Dorothea's marriage; it expresses the genre-character of the novel, which is to depict not the great with awe but the middling with love—can Dorothea possibly complain of having lived "a hidden life" as the heroine of this monumental novel?

The essay on the education of Jane Austen's *Emma* does a lovely job of putting in juxtaposition the two heroines, one seeking moral fulfillment, the other needing a moral heads-up. *Emma*, who presides over a not entirely harmless comedy of errors of her own devising, is as self-satisfied as Dorothea is self-searching. The agent of her moral awakening is her older, graver but vigorous neighbor, Mr. Knightley of Donwell Abbey. (The Austen novels abound in unobtrusive "speaking names.") He is the happier counterpart of Casaubon, Dorothea's desiccated first husband, who has nothing to teach the young wife who so ardently wants to learn. What Knightley awakens in *Emma* is the recognition, so the essay argues, that she must put her "manners in the service of morals." This is a lesson that goes beyond the heroine's society, though that society is, as Ms. Himmelfarb

shows, not at all so narrow in respect of class as some critics claim. Here Burke is made to speak prospectively to *Emma*'s moral point: manners, by a "steady, uniform, insensible operation," aid, supply, or destroy morals. As Dorothea is charmed by Ladislaw, so is Mr. Knightley by *Emma*; both pairs marry for love, "but also out of a kind of moral urgency." For Dorothea it lies in finding a field of fulfillment, for *Emma* in deepening her good breeding into a more considerate morality. Each novel is, for its time, "a moral fable"—which is to say, a work of the moral imagination.

THE LAST OF THESE TWELVE INSTRUCTIVE pieces bears most directly on the present American condition. Trilling's legacy to us is that moderating principle of an all too corruptible "social idealism," namely "moral realism," the better angel of conservatism. But behind this lucid legacy there was a lot of what seems to me a forcibly inventive complexity, the kind affordable by a man not much politically engaged. Some of it, which the author generously tolerates, I find positively repellent, like Trilling's juxtaposition of Robespierre with Jane Austen as common progeny of Rousseau through their shared commitment to Hegelian sincerity! What possible real relation could a proto-totalitarian and a terrorist have to Miss Austen, or she to sincerity, the mode of attending more to one's own truthfulness than to the truth? (Besides, Hegel does not think so very well of strenuous sincerity.) What Ms. Himmelfarb most appreciates in Trilling is his reminder to us of that

sense of variety, complexity, and difficulty which comes...primarily from the "experience of literature...." It is this that gives a passion, and a reality, to the moral imagination, which, at its best, informs the political as well as the literary imagination.

Up till the late 19th century the reading of novels was, in educational quarters, regarded as reprehensible—flighty at the least and morally deleterious at worst. In the century just gone by novel-reading became perfectly permissible—mildly civilizing at most and morally indifferent on the whole. Gertrude Himmelfarb's book shows us a third way, not previously unknown but not enough practiced, a way of attending that combines pleasure and profit: novels read as images of morality.

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Book Review by Nicholas Capaldi

CLASSICAL LIBERAL

Reforming Liberalism: J. S. Mill's Use of Ancient, Religious, Liberal, and Romantic Moralities,
by Robert Devigne. Yale University Press, 320 pages, \$45



TECHNOLOGY, MARKET ECONOMIES, representative government, the rule of law, individualism—how familiar all these remarkable things are to us. Since the Renaissance, they have gradually and increasingly come to dominate our world. That is to say, the world has more and more become a liberal world. Few serious thinkers are more identified with this liberalism than John Stuart Mill. Two hundred years after Mill's birth and 133 years after his death, Robert Devigne, in *Reforming Liberalism*, reminds us of Mill's Herculean efforts to understand liberalism and to shape it.

Scholars will appreciate Devigne's careful and scrupulous review of all the major secondary literature on Mill. It is no surprise to find that such a pivotal figure has often been turned into a cardboard caricature. Intellectual partisans have blamed him for being too liberal, not liberal enough, or the wrong kind of liberal, and have praised and blamed him for holding positions that he never held and for not holding positions that he did hold. Devigne rescues Mill from these partial readings and in doing so brings us back to the major issues confronting liberalism.

Mill clearly and unabashedly accepted modern economic, political, and social institutions. He was indoctrinated into this view by his father (James Mill) and Jeremy Bentham, who were themselves descendants of the British liberal tradition of Hobbes, Locke, and Scottish Enlightenment writers such as Hume

and Adam Smith. Mill never doubted this tradition's legitimacy. He agreed (and so would Marx) with the Scottish Enlightenment's historical account of the movement from feudalism to the industrial revolution and the growth of commercial republics. He embraced political reform (greater democratization), legal reform (franchise and property rights for women), economic reform (along broadly free-market lines), and social reform (the emancipation of women). But he came to doubt the philosophical underpinnings of the liberal tradition, with its emphasis on rational and prudent self-interest.

Mill did not, as had his father, turn a deaf ear to the conservative critique of liberalism. From his reading of the ancients (especially Plato on the distinction between higher and lower pleasures), Mill learned about self-mastery and the responsibility to participate in and contribute to the public good. From both the ancients and Romantic writers such as Wordsworth, Carlyle (*Sartor Resartus*), and especially Coleridge (*On the Constitution of Church and State according to the Idea of Each*, published in 1830), Mill learned the importance of creative individuals—the aristocracy of achievement and production, as opposed to the aristocracy of birth and consumption. From all of them, and from Tocqueville and Macaulay especially, he learned to beware the “tyranny of the majority.”

Technology, markets, and consumer societies led to democratization. Democratization meant the triumph of the laboring class. Would the

laboring class be able to sustain the values of a creative liberal culture? Certainly no ancient or medieval writer would have thought it possible. Neither classical Christianity nor its contemporary spokespersons thought it either possible or desirable. In the 19th century the Catholic Church, much to the chagrin of Lord Acton, condemned what it took to be liberalism. The Anglican Church continued to be an apologist for a feudal hierarchical world that depended on responsible aristocracies and Tory philanthropy. As a member of the rising achievement-oriented middle class (not the consumption-oriented middle class), Mill had nothing but contempt for aristocratic pretension and Tory condescension.

He felt the same way about the natural religion of the Enlightenment, the attempt by such as Thomas Reid and William Paley to preserve classical liberal principles by an appeal to religion within the limits of reason alone. These thinkers had convinced themselves that a de-theologized God had created an orderly and people-friendly universe whose inherent values could be read in its structure. To follow this logic to its bitter end, Mill concluded, would lead straight to Comtean positivism, that is, to the view that “experts” on human nature could engineer a near-perfect, though hardly liberal, human society. But there was no need to yield to that reasoning, as Mill demonstrated, demolishing as only he could the shoddy arguments for natural religion. The demolition es-

says were published posthumously, for as Mill rightly surmised the apologists for these shoddy arguments would engage in relentless character assassination.

IT IS DEVIGNE'S GREAT INSIGHT THAT MILL attempted, really, to synthesize all previous thought about human ends. What did he accomplish with this reconceptualization? To the extent that he understood the human good as happiness, and understood happiness by reference to pleasure and pain, his view looks identical to the position of Bentham. But Bentham began with the notion that persons always act from a desire for pleasure; Mill rejected this psychological hedonism. There are, said Mill, differences between higher and lower pleasures, differences of quality as well as quantity. More significantly, the good is not pleasure but happiness. Pleasure is a property of happiness, the empirical confirmation of its existence. And happiness is not contentment. The chief ingredient of happiness is dignity, which Mill understood to be synonymous with autonomy, which he makes our ultimate end. Traditional utilitarians like Jevons were furious with Mill's transformation: "The view which he professes to uphold [utilitarianism] is the direct opposite of what he really upholds." Mill also made good on his claim that utilitarianism so conceived is neither atheistic nor a reduction of morality to expediency.

Without averting his glance from the abyss of democratization, Mill became one of the most admired and trusted champions of the working class. But he was not sympathetic to radical critiques. He did not deny during his first election campaign that he was the author of the statement that members of the working class were mostly liars. He insisted that charity undermined integrity; he was no advocate of victimization. He and his wife, Harriet Taylor Mill, both Malthusians, struggled with the problem of how to raise the moral level of the laboring class to the level of the achievement-oriented middle class. Like the radicals, he recognized that the economic and social divide between employers and employees was corrosive, but unlike the radicals he did not advocate the mirage of state ownership. Rather, he and Harriet argued for collapsing the troublesome distinction by making everyone self-employed. Mill had in mind workers' co-operatives; he certainly would have approved of labor union pensions being invested in the stock market.

CLASSICAL LIBERALISM MUST SOLVE TWO problems. First, if the ultimate ontological reality is the individual, how do we relate the individual good to the public

good? Well-intentioned 18th-century liberals never could solve this problem. Devigne suggests that Mill embraced Aristotle's contention that "some forms of self-interested conduct are both higher forms of freedom and contributors to the general good." Here, I differ slightly from Devigne. I think that Mill resolved this issue in Hegelian fashion by appealing to the 19th-century Romantic notion of autonomy: Mill became a Romantic liberal. He regarded the true ultimate interest of individuals to be acceptance of responsibility for our inner freedom. Moreover, like Hegel, Mill went on to argue that autonomous people need recognition from other autonomous people (hence, e.g., his opposition to slavery, and the importance of autonomous spouses). Autonomy is not a zero-sum game; autonomous people have a responsibility to promote the autonomy of others. Mill certainly thought he was doing that, in practice, as part of his work for the East India Company. He also held the politically incorrect view that the British Navy should remain strong so as to protect classical liberalism throughout the world.

The second problem is more difficult, namely, how do we get people to recognize and embrace their inner freedom and accept responsibility for it? The difference between Romantic liberals like Mill and Romantic radicals like Marx is that Mill did not think removing environmental constraints was sufficient. Nietzsche rejected the whole idea of the self-emancipation of the working class and foresaw the "last man" as the ultimate legacy of liberalism. Is it possible for everyone, or almost everyone, or at least enough people, to become responsible for their freedom? Mill certainly thought that the embrace of one's freedom was the great good, and that it was in principle achievable by everyone. Liberalism has evolved since Mill's time; in fact, that evolution was taking place during Mill's own lifetime. In the essay "On Liberty," he calls attention to how liberalism started out as a defense against government tyranny but in an age of democratization, where presumably the state represents the people, liberalism has come to mean increasing the state's power to provide or redistribute resources. That is why we must now distinguish between classical liberalism and modern liberalism.

IN THE MINDS OF MANY, MODERN LIBERALISM has replaced classical liberalism. The difference between the two is in the conception of rights: in the classical formulation, the rights of life, liberty, and property are understood to be absolute, do not conflict, and are possessed only by individual human beings. Rights are morally absolute or fundamental because they are de-

rived from human nature and God (or later the categorical imperative), and as such cannot be overridden. These rights reflect the human need and capacity to make individual choices; they impose only duties of non-interference. In modern liberalism, rights are means to the achievement of other ends (resources, power, etc., identified differently by different proponents). As such, rights are only *prima facie*, may be overridden, and may be possessed by any entity, not just individual human beings. Such rights can be welfare rights, i.e., they can depend for their efficacy on the positive obligation of others to provide certain goods, benefits, or means. This is not the liberalism of J.S. Mill.

On the other hand, classical liberalism continues to inspire inquiring minds. Consider Nobel laureate V.S. Naipaul's 1990 essay, "Our Universal Civilization":

The universal civilization has been a long time in the making. It wasn't always universal.... The expansion of Europe gave it for at least three centuries a racial taint, which still causes pain.... A later realization...but I have understood it philosophically only during the preparation of this talk—has been the beauty of the idea of the pursuit of happiness.... I find it marvelous to contemplate to what an extent, after two centuries, and after the terrible history of the earlier part of this century, the idea has come to a kind of fruition. It is an elastic idea; it fits all men. It implies a certain kind of society, a certain kind of awakened spirit. I don't imagine my father's parents would have been able to understand the idea. So much is contained in it: the idea of the individual, responsibility, choice, the life of the intellect, the idea of vocation and perfectibility and achievement. It is an immense human idea. It cannot be reduced to a fixed system. It cannot generate fanaticism. But it is known to exist; and because of that, other more rigid systems in the end blow away.

We read Mill, and we should read his careful expositors like Devigne, because Mill still offers the clearest and most defensible expression of the classical liberal outlook, the most honest and unflinching recognition of its dangers, and the most articulate call to retrieve and redeem those principles while we still can.

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JUST EXAMPLES

Natural Law, Laws of Nature, Natural Rights: Continuity And Discontinuity in the History of Ideas,
by Francis Oakley. Continuum, 144 pages, \$34.95

FRANCIS OAKLEY IS AN EMINENT SCHOLAR of medieval political thought, and his *Natural Law, Laws of Nature, Natural Rights* is a short but synoptic presentation of many of his leading themes. The book is elegant yet accessible, only occasionally heavy with scholarship. Focusing on the “continuities” and “discontinuities” in the intellectual history of natural law and related topics, Oakley emphatically wants to distinguish his “history of ideas” from more speculative or philosophical approaches. His main animus is directed against the work of Leo Strauss and his students, although he disagrees with other accounts, too, such as Michael Foucault’s or Michel Villey’s, that argue for large theoretical breaks or disruptions in this history.

As is well known, Strauss had an “epic” account (John Gunnell’s phrase) of the history of political philosophy, with a break amounting to a chasm separating ancients and moderns. Medievals of various sorts were treated as belonging in the ancient camp, so long as they could be considered to be doing political philosophy. According to Strauss, after the break between ancients and moderns begun by Machiavelli, Thomas Hobbes took the Machiavellian intellectual reorientation and applied it to the natural law tradition, a tradition that the Florentine had apparently considered so removed from the “effectual truth” of politics as not to warrant much systematic attention. With Hobbes and his later followers like John Locke, traditional natural law was replaced by a modern doctrine of natural rights.

Oakley, who is the Edward Dorr Griffin Professor of the History of Ideas, Emeritus, and President Emeritus at Williams College, wants to tell a different story, a story that contains much more continuity than Strauss’s. As Oakley has it, there was not one but two pre-modern natural law traditions, one metaphysically realist, following Thomas Aquinas; and the other metaphysically nominalist, taking its bearings from William of Ockham. The concept of rights in the sense of subjective rights, rights different from duties, emerged from the Ockhamist tradition. This much is familiar from Oakley’s earlier work. In this volume,

he modifies the story a bit by incorporating the findings of Brian Tierney and others who have discovered that subjective rights emerged in the 12th-century canon law commentators, thus predating Ockham. Oakley disagrees then with Strauss that a major break in intellectual history occurred in the 17th century. So far as there was a break, it occurred much earlier, and was apparently much less serious. What’s more, the earlier tradition continued beyond the point that Strauss had thought. One result of Oakley’s alternative storyline is that medieval Christian thought, his focus, looms much larger than it did for Strauss, who, as has often been noted, wrote very little on the subject.

AND YET THE AUTHOR IS WARY OF ENDORSING the strong continuity thesis affirmed by some historians in reaction against big-break theses like Strauss’s. Such historians, writes Oakley, “miss the significant differences of emphasis and nuance that serve to distinguish modern and even early modern patterns of thinking from what has gone before.” The earlier medieval ideas “survived” and left “their imprint on the great social contract theorists of the seventeenth and eighteenth centuries. But it must be insisted that [they] did not do so without undergoing in the post-medieval period a significant and crucial transition.” And so, on almost the last page, he concludes that

perhaps we should hesitate to brush to the side the stubborn convictions of so many modern commentators that there really *was* something novel about the particular type of discourse concerning the subjective natural rights of individuals that began to come to center stage in the political thinking of the seventeenth century.

So, was there a significant break in the 17th century, or wasn’t there?

At the end of the day (or the book) Oakley can’t really say. Everything he does is admittedly “sub-philosophical” and so all he can conclude is that there was some continuity

and some discontinuity. His sub-philosophical treatment even stands in the way of formulating clearly just what the issues and the stakes are in the debates into which he injects himself. Strauss’s claim was not that the concept of “subjective right” was unknown prior to Hobbes. It’s true that Strauss said little about the Ockhamist tradition and made no effort to trace the history of the concept of subjective right. But Oakley has not shown that any of this makes a difference, and indeed in his closing thoughts suggests that perhaps Strauss was correct all along.

As a somewhat heterodox Straussian, I believe we can go even farther than Oakley or Tierney has, and can find subjective rights in ancient sources like the Roman Law texts. For Strauss, more than the concept of subjective right was required to constitute the modernist break with the tradition. There must be a clear affirmation of *natural* subjective right, right inhering in individuals independent of positive law and legal rights. Thus the new notion of right tends to accompany the notion of a state of nature, as Oakley in his last pages concedes. Still, Oakley never comes close to grasping why Hobbes’s right of nature is so extraordinary: it is pure liberty without a correlative duty. Earlier subjective-rights thinkers did not conceive rights in this way. Finally, the entire political realm must be construed in terms of, and for the sake of, this kind of right—again a claim not present in earlier thought. Only when we put together this whole package, along with the underlying philosophic rationale for it, do we have what Strauss called modern natural right philosophy.

Francis Oakley’s historical works, including *Natural Law, Laws of Nature, Natural Rights*, though impressive in scope and learning, consistently fall short of what the subject matter requires. And I have to say that his smug sense of superiority to Strauss is altogether undeserved.

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Book Review by Ken I. Kersch

SUPREME WIT

Antonin Scalia's Jurisprudence: Text and Tradition, by Ralph A. Rossum.
University Press of Kansas, 312 pages, \$34.95



STUDENTS OF THE SUPREME COURT'S PAST two decades have come to appreciate the special thrill of an opinion by Associate Justice Antonin Scalia. Only a handful of justices in the Court's history have so enlivened the pages of the U.S. Reports. His judicial charisma has been all the more thrilling for being so unexpected: after all, he displays it while hewing to what many take to be the stodgiest of interpretive postures, originalism, which holds that, in interpreting a legal text, the judge is duty-bound to read it in light of the meaning it was understood to have at the time of its adoption. But like Ronald Reagan, the president who appointed him, Justice Scalia has upended the old rules and made an ostensibly dynamic liberalism seem stodgy, lifeless, and orthodox—and an ostensibly staid conservatism appear vivid, dynamic, and smart.

What is the secret of his success? To be sure, as Ralph Rossum showcases throughout his methodical overview and assessment of the justice's work, it helps to have a ready wit, and talent for turning a phrase. But Scalia's real genius stems from the way he wields both in service of two key strands of contemporary constitutional conservatism. The first unmasks the fatuities and pieties of modern liberalism—what Scalia has dubbed “the smug assurances of [our] age.” And the second makes the affirmative case for the constitutional understandings they displaced as best suited to the preservation of the individual freedoms and democratic commitments of all Americans.

When turned to the first task, Justice Scalia is gleefully impious and subversive, a Jefferson

Smith, Socratic gadfly, and Bluto Blutarsky all rolled into one. Effective subversion, of course, is typically more artful than it seems. Scalia's special knack as a subversive is for wielding the classic law school hypothetical to draw liberalism's unstated, and typically unnoticed, assumptions to the surface, exposing its self-satisfied professions of being uniquely committed to the “neutral,” “fair-minded” application of “principle.” His opinions demonstrate again and again that liberal banalities have come to be accepted as neutral truths mainly because those intoning them can't follow the logic of their own supposed principles. When confronted with the ringing declaration that “[e]ven as a speaker, it is the obligation of the government to remain neutral between competing ideas,” Scalia boldly explains that no one really believes this, and demonstrates it by simply parading examples that liberals would never think to consider. After all, if the proposition really were true, it would lead “to the strange conclusion that it is permissible for the government to prohibit racial discrimination, but not to criticize racial bias; to criminalize polygamy, but not to praise the monogamous family; to make war on Hitler's Germany, but not to denounce Nazism.” When, during his confirmation hearing, a senator concerned for the future of abortion rights declared that it is a judge's high duty to recuse himself in cases in which he has a “deeply held personal position” on “the morality of the issue,” Scalia asked if the late 19th-century justices who objected to polygamy on moral and religious grounds had transgressed their duty when they decided a famous case on the issue. In a dissenting opinion for *Edwards v.*

Aguillard (1987) he addressed whether the separation of church and state makes it unconstitutional for legislatures to pass laws motivated by a religious purpose, writing: “We would surely not strike down a law providing money to feed the hungry or shelter the homeless if it could be demonstrated that, but for the religious beliefs of the legislators, the funds would not have been approved.” Whatever they think of originalism, many law professors have felt the full force of these counter-examples: as Rossum shows, Scalia's opinions are more likely to be reprinted in constitutional law casebooks than those of any of the Court's other current justices.

IT'S ONE THING TO MAKE SHORT WORK OF procrustean banalities; it's another to propose a doctrine to take their place. Rossum sums up the justice's alternative as “text and tradition,” or a commitment to “apply[ing] the textual language of the Constitution or statute when it is clear and to apply the specific legal tradition flowing from that text (i.e., what it meant to the society that adopted it) when it is not.” Only by applying the law as written, Scalia argues, will the judge assume his properly limited role in our liberal constitutional democracy.

Rossum, who teaches constitutional law at Claremont McKenna College, is in full sympathy with this interpretive method, and takes a critical perspective not by questioning it but by measuring Scalia's performance by his own yardstick. He concludes that Scalia has been “remarkably consistent” in applying his approach to actual cases over the years, but that in a few doctrinal areas he has strayed. For example, al-

though Scalia is convinced that neither text nor tradition would "incorporate" the Bill of Rights as a limit on the states' (as distinguished from the federal government's) conduct, he has consented to a long train of Supreme Court opinions doing precisely that. In the teeth of the 11th Amendment's plain words, he has held that states have a generalized "sovereign immunity" to lawsuits filed in federal courts, even when the claim is advanced by one of the state's own citizens. Contrary to text and tradition, the justice has held "expressive conduct" (such as burning an American flag in protest) to be a form of constitutionally protected speech. And he has aggressively interpreted the Fifth Amendment's takings clause, providing that "private property [shall not] be taken for public use without just compensation" to prohibit not only the physical deprivation of property (like the condemnation of a private home in the path of a future public highway), but also so-called "regulatory takings" by which, for example, a land-use law merely lowers the value of a person's property without actually condemning it.

Rossum gently chastises Scalia for his departure from text and tradition in these areas, but refrains from asking the hard question of whether these are isolated exceptions or evidence of an operative approach that counsels prudential departures from text and tradition under certain (unarticulated) circumstances. It seems clear, for example, as Scalia himself has acknowledged in speeches, that his decision to hold the Bill of Rights applicable to the states is more than a "mistake." It stems from his understanding that, in the contemporary context, this reading of the 14th Amendment has been settled, and that the political and doctrinal repercussions of dislodging it would simply be too pronounced. (On the same grounds, Chief Justice John Roberts and Justice Samuel Alito have accepted a constitutional "right to privacy.") Scalia's reading of the takings clause (*Pennell v. City of San Jose*, 1988) brilliantly cuts to the core of the law's problem, but addresses it by invoking the wrong part of the text, and imputing an implausible original understanding to that provision. Perhaps he proceeded this way because today it would seem highly idiosyncratic, indeed radical, to invoke the long-since defunct understandings of the appropriate constitutional clauses (in the 19th century,

the due process and equal protection clauses would have served). Similarly, he apparently wields the 11th Amendment to reimpose piecemeal something of the states' rights and authority that, under the terms of text and tradition alone, would normally be protected through an appropriately originalist reading of Congress's Article I enumerated powers, which is hardly in the cards.

SOPHISTICATED LIBERALS ARGUE THAT, in his concessions to new settlements and altered conditions, Scalia is doing pretty much what they are doing, but in different doctrinal areas. For instance, some argue, in the face of conservative complaints (including Scalia's) that the due process clause, by its plain language, refers only to matters of procedure and not substance, that the liberals' substantive reading of the clause is simply a pragmatic, if awkward, substitution for a substantive reading of the all but defunct privileges and immunities clause. Is Scalia really doing anything different?

Rossum thinks that he is. Of course the justice holds the American Founders in high regard and accords their authority considerable weight. But he also consistently troubles to subject their designs and commitments to the acid test of reason, to explicate their logic, and to argue for, rather than assert, their wisdom. Most importantly, he has repeatedly spelled out why the founders' insights and the logic of their constitutional design, as originally understood, are affirmative goods, applicable to today's contemporary questions. And why—in a contemporary context—they do a much better job at safeguarding American liberties than the cascade of enthusiasms, prejudices, and hobbyhorses that have been hawked promiscuously—and more or less successfully—as the very picture of a "living" Constitution.

Scalia has joked that he prefers his Constitution "dead." But, the extremes of judicial willfulness aside, most Americans don't. They want to know why the Constitution, read in a certain way, makes the most sense now, and the justice has obliged them. He has written hundreds of gems of constitutional exposition over the years, which Rossum canvasses in successive chapters devoted to the separation of powers, federalism, substantive rights,

and procedural rights. The book includes an introductory chapter explaining Scalia's interpretive theory and a concluding chapter giving an empirical account of his jurisprudential and intellectual influence.

A case in point is his celebrated dissent in *Morrison v. Olson* (1988). There, alone amongst his colleagues, Scalia insisted that it was unconstitutional for Congress to create an independent counsel, appointed by judges and unanswerable to the president, to investigate and prosecute executive branch transgressions. Passed in the wake of the Watergate scandal, the law was an ostensibly pragmatic and "living" solution to the problem of presidential overreaching in the Nixon Administration—a problem that, it was blithely assumed, positively demanded innovation. Because he took the traditional logic of the separation of powers seriously, Scalia readily discerned what all those rushing headlong to solve the immediate difficulty had missed: that the decision to hand over the core prosecutorial power of the executive to an unaccountable, purportedly apolitical figure destroyed a crucial structural logic inherent in the text. And he saw that the implications for both individual freedom, and the broader political system, would, in due course, be grave. Later, when Kenneth Starr assumed the independent counsel's role, liberals came to see the wisdom of Scalia's dissent, although many were no doubt motivated again by narrow political advantage. Nonetheless, there is more where that came from. Much.

Rossum ably shows that Antonin Scalia is well aware of the complexities of hard interpretive questions and the elusiveness of fixing true original understandings (originalism, he has acknowledged, "is...not without its warts"). Like many liberals, Scalia understands the limits of "plain meaning" textualism, legal formalism, and fidelity. But, unlike them, he has a deep appreciation for their virtues. He knows that judges need to be prudent and pragmatic, and must accept the inevitability of new settlements and change. But he also knows (as the old saw goes) that just because you can never have a perfectly sterile environment, you shouldn't gladly conduct your surgery in a sewer.

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THE DISPUTED QUESTION

JUDICIAL ACTIVISM, LEFT AND RIGHT

by Harry V. Jaffa

PROFESSOR MICHAEL UHLMANN HAS GIVEN us a devastating indictment of mainstream Supreme Court jurisprudence over the last century, with particular reference to the last half century. He brings under fire the claim of the Court (and its partisans) to supremacy in constitutional interpretation ("The Supreme Court vs. the Constitution of the United States," Summer 2006). Still more, he brings under fire the Court's decisions on a wide range of topics, especially in the field of free speech and religion. As a result of those decisions, "pornography runs free while religion is increasingly treated as a toxic presence in the public square."

"Specifically," he writes, "the Court has converted the 14th Amendment into a free-roaming license to second-guess state regulations it doesn't like. It has endowed the Due Process and Equal Protection Clauses of that amendment with new substantive content and applied virtually all of the Bill of Rights against the states...." Uhlmann's indictment of liberal activist jurisprudence is a lengthy one, but familiar to anyone who in recent years has attended any conclave of conservative jurists, especially those associated with the Federalist Society. Among the aforesaid jurists is law professor Lino Graglia, of the University of Texas, who has often asserted—with much truth—that there have been no victories for conservative principles in the Supreme Court in the last half century or more, and that any so-called victories have been at best only delaying actions in the onward march of liberal judicial activism. Why then, we must ask, with such cogent indictments of Supreme Court jurisprudence as those of Professors Uhlmann and Graglia—not to mention William Rehnquist, Antonin Scalia, and Robert Bork, *inter alia*—is "our side" always the losing side? According to Uhlmann, Johnathan O'Neill, "in his splendid *Originalism in American Law and Politics*...[finds that] modern judicial review is 'rooted in the revolt against formalism,' a revolt inspired...by philosophical pragmatism, legal positivism, Darwinian theory, and Progressive Reformism." According to Uhlmann, this revolt captured the mind of the most influential jurist of the 20th century, Oliver Wendell Holmes, Jr.

To this thoroughgoing Darwinian, law... was best understood as an instrument of almost infinite plasticity; it must be capa-

ble of adjusting itself to the 'felt necessities of the times....' In due course, Holmes's formula, adjusted and refined from time to time by his successors, established the foundation for modern judicial review: deference to legislatures on most matters of economic and social welfare, but judicial supremacy on almost everything else, especially when it came to defining the rules of the game. Although the term had not yet come into common usage during Holmes's time, the idea of the 'living Constitution' may be his most enduring monument.

THERE IS PARADOX AND IRONY IN THIS characterization of Holmes's legacy. Strangely, Uhlmann does not tell us how the idea of a "living Constitution" came into common usage. The inspiration certainly came from Holmes's thoroughgoing Darwinianism. In the last half century it became the trademark of the movement led by Justice William Brennan, widely embraced by his many and illustrious followers. But it has also gained notoriety from the title of perhaps the most influential essay in conservative jurisprudence in living memory, the late William Rehnquist's 1976 lecture at the University of Texas Law School, "On the Notion of a Living Constitution." Rehnquist, who proclaimed himself an unqualified admirer and disciple of Holmes, made his own greatest mark upon constitutional jurisprudence in attacking what Uhlmann calls Holmes's "most enduring monument." Uhlmann's review is remarkable in ignoring the fact that both the advocates and the opponents of the "Notion of a Living Constitution" are followers of Holmes. He therefore also ignores the possibility that the intensity of the present crisis of the Constitution arises from the fact that both sides—apparently without knowing it—have the same ultimate principles. Here we have another example of sectarians—in this case blind sectarians—of the same faith, waging war upon each other. This silent paradox may tell us more about the contemporary crisis of the Constitution than anything openly stated.

Rehnquist's discourse on the idea of the living Constitution is explicit in its unquestioning acceptance of the fact/value distinction, which is the reigning epistemology in behavioral social science. I say reigning epistemology, notwithstanding the fact that Leo Strauss's critique in

Natural Right and History destroyed any credibility it might have had in any intelligent mind. This is the dogma that holds that all moral judgments are "value judgments," and that there is no rational way of deciding among contending and conflicting "values." From Rehnquist's perspective the case for democracy seems to rest on the idea that majority rule is a rational way of resolving the differences of conflicting values. In fact, of course, majority rule is itself a value judgment that has no more claim to rationality than any other value judgment. The true rationality of majority rule—freed from the incubus of the fact/value distinction—depends upon the doctrine of individual rights which are prior to, and apart from, the rule of the majority. This doctrine, embodied in the Declaration of Independence, is the originating source of American constitutionalism. According to this original originalism, embraced by those who framed and ratified the Constitution, the purpose of legitimate government is to decide how best—not whether—to secure mankind's natural rights, e.g., of life, liberty, property, and the pursuit of happiness. Moreover, the framers and ratifiers of our Constitution had no more urgent concern than to prevent the tyranny of the majority. Calling a doctrine that ignores this concern "originalism" contradicts the very meaning of the original Constitution.

In his essay Rehnquist rebukes those who ignore

the nature of political value judgments in a democratic society. If such a society adopts a constitution and incorporates in that constitution safeguards for individual liberty, these safeguards do indeed take on a generalized moral rightness or goodness. They assume a general social acceptance, neither because of any intrinsic worth nor because of any unique origins in someone's idea of natural justice but instead simply because they have been incorporated in a constitution by a people.

Uhlmann had called it Holmes's "principal mission...to sever legal thought from moral encrustations...[and from] conceptions of objective moral principles, natural law, and natural rights...." We see that Rehnquist is here faithful in the last degree to this mission. Safeguards for individual liberty are said not to have

"any intrinsic worth," and not to have any origins in "someone's idea of natural justice." The latter eliminates entirely the doctrine of individual rights, embodied in the "laws of nature and of nature's God" cited in the Declaration of Independence, and featured in what Jefferson called "the American mind." But how in the world can this elimination of the mind of the founders be called a jurisprudence of original intent?

Rehnquist says that safeguards for individual liberty "take on" moral rightness and goodness, only because they have been adopted by a people. The precepts of morality have then no objective existence, and no standing in constitutional jurisprudence; they result only from so-called value judgments, which themselves are said to have no standing in reason. Hence there is no morality inherent in the safeguards of liberty themselves. But the Constitution of 1787 also had within itself massive safeguards for slavery. On Rehnquist's premises both the safeguards of liberty and of slavery must have taken on the identical moral rightness and goodness, as they were incorporated into the same Constitution by the same people at the same time. It happens that the foregoing was the core of the Southern defense in 1860-61 of a constitutional right of secession. The secessionists asserted, correctly, that the clauses of the Constitution, as originally ratified, made no discrimination between the safeguards of liberty and of slavery. The election, they said, of a president who insisted that slavery was morally wrong, and whose policy was to end the extension of slavery, confining slavery to the existing slave states, represented an abrogation of the contract implicit in the ratification process. Rehnquist's originalism is in complete harmony with Southern secessionism.

WE CAN NOW UNDERSTAND WHY conservative Holmesians have been in steady retreat before the liberal Holmesians. The moral relativism of the liberals has been in the interest of an ostensibly higher morality than that enshrined in the original Constitution. The original Constitution, seen by the liberals as favorable to the alleged barbarism of capital punishment, as well as of slavery, can hardly claim to have a moral foundation. The liberals' living Constitution takes its bearing from its distance from both slavery and capital punishment. Their true Constitution is the one born of the Civil War amendments. The unamended original Constitution must now be reinterpreted in agreement with the aforesaid amendments, and especially the equal protection and due process clauses of the 14th amendment. These clauses are understood now to embody the morality of modern and postmodern liberalism. They constitute a license to roam wholesale across the field of public policy, and are repre-

sented as the true alternative to a jurisprudence of original intent rooted in a reactionary past.

Rehnquist's break with the thought of the founders was complete, but it has also passed into the common coin of judicial conservatism, as is illustrated by the following remark from Justice Scalia's famous Rome interview in 1996:

[Y]ou either agree with democratic theory or you do not. But you cannot have democratic theory and then say, but what about the minority? The minority loses, except to the extent that the majority, in its document of government, has agreed to accord the minority rights.

And again:

Once you adopt democratic theory...you accept the proposition [that]...If the people...want abortion the state should permit abortion. If the people do not want it, the state should be able to prohibit it.

If in the last of these quotations you substituted "popular sovereignty" for "democratic theory" and "slavery" for "abortion," you might be citing Stephen A. Douglas in his debates with Abraham Lincoln. Lincoln replied that if slavery was wrong, there can be no right in the people to choose what was wrong. Lincoln, like Jefferson, did not believe that the people (or a majority of the people) made the moral law, but that the moral law made the people.

Rehnquist and Scalia, and their school, see majority rule, emancipated from any anterior moral restraint, as the authority for constitutionalism. This is the essence of the state rights argument that dominated the antebellum debate, and which flourished again in the post-Reconstruction era, and justified Jim Crow as it had earlier justified slavery. It does not take a rocket scientist to see why this school is losing, and why it deserves to lose in the ongoing debate.

We must ask therefore what it is that can defeat the apparently irresistible advance of the liberals' living Constitution? Certainly not the originalism of Rehnquist and Scalia. Yet the answer is not difficult to find. The Republican party platform of 1860, upon which Abraham Lincoln was elected president, and which expressed his own deepest convictions, declared, "[t]hat the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution...is essential to the preservation of our republican institutions...." In many speeches, Lincoln explained that the proslavery clauses in the 1787 Constitution represented "necessities" imposed upon the framers, if the Constitution was to be ratified. They represented a necessary evil, but also a lesser evil.

Constitutional Democracy

Creating and Maintaining a Just Political Order

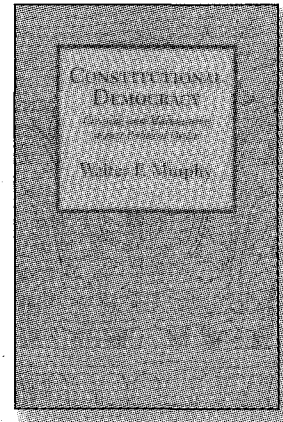
Walter F. Murphy

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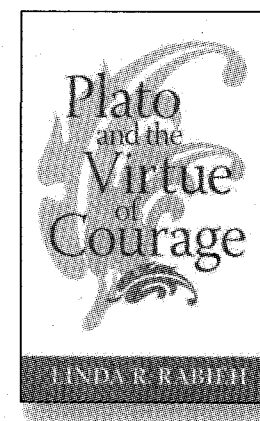
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If the Constitution had not been ratified—and the margin of victory was narrow indeed—the position of slavery would have been far stronger. Only the “more perfect Union” of 1787 created the kind of government that could meet the crisis over slavery, as Lincoln’s government did in 1861-1865. Of all this, O’Neill’s book, so lauded by Uhlmann, says nothing.

NOTHING IS MORE SHOCKING THAN the steadfast refusal of the originalists we have cited to admit that the Declaration of Independence has any role whatever to play in constitutional jurisprudence. In *The Tempting of America* (1990), Robert Bork asserts that “substantive due process” is the device by which judges write their personal preferences into law. This device, he says, entered constitutional jurisprudence in Chief Justice Taney’s opinion in *Dred Scott*. In that opinion, said Bork, Taney invented a right to own slaves that was “nowhere in the Constitution.” This would be a most astonishing statement had it been made by a high school student, who would be flunked in a civics class for making it. Yet it comes from someone widely regarded as a hero of conservative constitutionalism.

Let us then review briefly the leading provisions of the Constitution of 1787 favorable to slavery. Article I, section 2, declares what shall be the federal numbers for representation in the House and in the Electoral College. These shall consist of “the whole number of free persons... and...three fifths of all other persons.” That the “other persons” were not free, that is, that they were slaves, can hardly be doubted. The slaves however added to the political power of their owners, against the interests of the slaves themselves. In 1860 there were 4 million slaves, who added 2.8 million to the slave states representation in the House and in the Electoral College.

Article I, section 9 says that “The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight...” This forbade the prohibition for 20 years of the infamous African slave trade, whose horrors rivaled Hitler’s death camps, or Stalin’s gulag. Notwithstanding the fact that Congress banned the foreign slave trade in 1808, and made it punishable by death in 1820, it never actually ended before the Civil War. The only warrant for the execution of a slave trader was signed by Abraham Lincoln.

The third great pillar of slavery in the antebellum Constitution was the fugitive slave clause in Article IV. “No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from

such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.” The “shall be delivered up” is imperative, and makes it an unequivocal duty.

How can Bork say that Taney had invented a right that was “nowhere in the Constitution”? If Bork had actually read Taney’s opinion, he would have seen that Taney invoked the second and third of the foregoing clauses. What was it that induced Bork to commit what in sports would be called a flagrant foul? O’Neill has an entire chapter on Bork, but neither he nor Uhlmann makes any mention of it. It seems to me that there are only two possible explanations for this bizarre behavior. Either Bork had never read the Constitution or Taney’s opinion, or he thought that by concealing the truth about the place of slavery in the original Constitution, he could avoid any necessity to justify it. Both of these explanations are indefensible.

An originalism that is capable of meeting and defeating the army of the living Constitution must take its bearings from the distinction between the compromises of the Constitution and the principles of the Constitution. And the principles must be sought in the Declaration of Independence. What is common to Rehnquist, Scalia, and their hosts of followers, is a resolute determination to exclude the Declaration from any role whatever in constitutional interpretation. There is moreover no mention, either in O’Neill’s book or Uhlmann’s review, that the Declaration of Independence is the first of the four Organic Laws of the United States, as they are set forth in the United States Code, the official register of the laws of the United States, adopted by the Congress of the United States. Although the Declaration is to be read primarily as a document of the natural law, it is also the first (or original) of the positive laws of the United States.

To his credit, Uhlmann ends his treatment of O’Neill with these remarkable observations:

At the end of the day, words in a legal text, without more, cannot carry the philosophical weight that originalists place upon them. It is one thing to point out, as originalists do most effectively, that such-and-such a phrase had, and was meant to have, a particular, relatively fixed meaning at the time of its adoption. Persuading others that the identified meaning has, or should have, binding effect in our own day is another argument altogether. Ultimately, that argument must rest on the reaffirmation of the enduring, self-evident truths that must undergird the case for limited government, that is, on premises that are not explicitly identified in the constitutional text itself. A true originalism, in short, must look beyond the Constitution to justify the

ground of its intellectual authority.

Uhlmann is saying no more than I, in common with Abraham Lincoln and the Republican Party of 1860, have all along maintained. This however is what O’Neill’s book, which he so lavishly praises, conspicuously does not say. Only at the very end, and with infinite caution, does Uhlmann point us back to the principles of the Declaration, and thus to conservatism’s mission to restore those principles to their original and paramount role in our path to glory.

Harry V. Jaffa is a distinguished fellow of the Claremont Institute and Professor Emeritus of Government at Claremont McKenna College and Claremont Graduate University. He is the author of several books, including *Original Intent and the Framers of the Constitution: A Disputed Question (Regnery Gateway)* and *Storm Over the Constitution (Lexington Books)*.

A RESPONSE

by Michael M. Uhlmann

IN REPLYING TO PROFESSOR JAFFA, I FIND myself in the company of William F. Buckley, Jr., who once wrote, “If you think Harry Jaffa is hard to argue with, try agreeing with him.”

Here, I am faulted not for what I wrote, which Professor Jaffa generally agrees with, but for failing to write the kind of review Professor Jaffa thinks should have been written. His beef is not with me but with Robert Bork, Antonin Scalia, and the late William Rehnquist. Jaffa is right that all three, to the extent they reject the teaching of the Declaration, undercut the metaphysical ground of their professed originalism. Each has nevertheless made significant contributions to public life, and for that we should be grateful.

The world would undoubtedly be a better place if federal judges were sympathetic to Abraham Lincoln’s arguments about natural right and the American Founding, but it is not at all clear how that understanding would alter their daily life on the bench or 99.9% of their opinions. Conceding the intellectual deficiencies noted by Prof. Jaffa, I would ask him if there is any opinion handed down by Rehnquist, Scalia, or Bork that he would have rendered differently based on his understanding of the Declaration? And how comfortable would he be vesting modern judges with the authority to interpret the meaning, say, of “the pursuit of happiness”?

Michael M. Uhlmann is professor of politics at Claremont Graduate University.

Essay by Hadley Arkes

THE CONSTITUTION AND MR. BUSH



THE SCENE: WASHINGTON, D.C., HEARINGS before the Committee on the Judiciary of the House of Representatives, on the Defense of Marriage Act, May 15, 1996. We were seeking to shore up the authority of the states to refuse to honor same-sex marriage. I was testifying in favor of the bill, making the case. The courts in Hawaii had recently installed same-sex marriage, and there was a serious question as to whether the Full Faith and Credit Clause of the Constitution would require the states to honor such marriages just as they would be obliged to honor most other marriages from other states. What I was trying to do, more fundamentally, was give guidance to the courts when they came to confront that question. We were seeking, that is, to remind the political class that the political branches—the legislative and the executive—were as duty-bound as the courts to reach judgments on the constitutionality of those measures that came under their purview.

To no one's surprise, Congressman Barney Frank of Massachusetts was opposed to the Defense of Marriage Act. But apart from his aversion to the policy, he also insisted that the proposed Act was unconstitutional. And to that we replied: Precisely, you make our very point. As a member of Congress, you would be obliged to go beyond the question of whether the proposal is desirable as policy; you would be obliged to consider also whether it is compatible with the Constitution. That logic of the Constitution was so firmly in place that it could slip past our notice. Even Congressman Frank, one of the cleverest of men, had not seen that he was backing into that logic even when he thought he was resisting it in our bill. Yet the same could be said these days for a large class of lawyers and judges. Within

that class, no case has had a higher standing than *Marbury v. Madison* (1803), and yet no case seems to be less closely read or understood. As the legend has taken hold, this case established the authority of the Supreme Court to hold an act of Congress unconstitutional, and beyond that, the case has been taken to establish the courts as the sole, exclusive authority in interpreting the Constitution. And yet nowhere in the body of *Marbury v. Madison* did Chief Justice Marshall ever say that the Court had the final word on these matters, or that the judges would have the sole, exclusive standing in pronouncing on these questions. Indeed that latter claim was simply inconsistent with the root logic of his position. If one pays close attention to that logic, it would be clear that the obligation of judges to consider the constitutionality of the laws that come before them is an obligation that would exist even if *Marbury v. Madison* had never arisen and John Marshall had said not a word on the subject.

Still, the word he did choose to say in that case offered a teaching, and the core of the teaching might be put in this way: in any system of law there must be a logical layering, a distinction between ordinary law and the deeper law that provides the structure in which laws are made. The German term may be more telling: *Grundgesetz*, the law that establishes the ground of the law; or in the rendering more familiar to us, the "fundamental law" or the "basic law." If we ask, for example, the simple question of how law is made in the United States, most students can tell us that a bill must be passed by the two houses of Congress and signed by the executive. But why is that the case? Because the terms are spelled out in the "fundamental law" of the Constitution. The basic law is the law that tells us just how we make "laws."

When the matter is arranged in these terms, it becomes clear that the fundamental law takes a *logical precedence* over any ordinary statute. Marshall drew out those implications quite plainly in *Marbury* when he observed that

if a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the constitution; or conformably to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case.... If, then, the courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature, the constitution, and not such ordinary act, must govern the case to which they both apply.

This logic is nowhere set forth in the Constitution, but it is the logic that would underlie any regime that could be called a "constitutional order" or a "government of law." The highest judicial task would involve then a strenuous, probing effort to understand the bearing of the Constitution on the case at hand. But in the logic of the matter, Marshall was not claiming anything more for the judges than could be claimed, with as much force, for any other officer under the government. If a president were faced, say, with a congressional act that provided conscription into the military for blacks but not whites, would he be obliged to consider only questions of "utility"—whether the measure would "work"? Or would he be obliged, no less than judges, to consider whether that measure was compatible with the deeper principles of the "basic law"?

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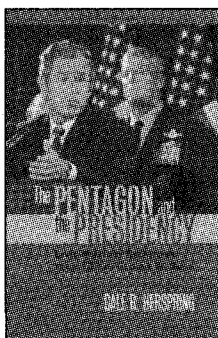
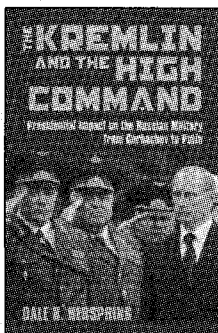
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Making Constitutional Judgments

THAT IS THE UNDERSTANDING THAT makes it inescapable, even today, for presidents to bear the responsibility of acting as interpreters of the Constitution. But though the logic may be inescapable, George W. Bush has managed to stage one of the most remarkable patterns, even in the modern era, of shying away from that responsibility. True, certain "signing statements" have been appended by the president to some congressional acts, for the sake of guarding his constitutional powers as commander in chief. But Mr. Bush has steadily avoided any suggestion that he is obliged to make constitutional judgments as he deals with the Congress or the courts on any matter apart from the powers of the president in time of war. The president's hesitation in this respect may merely reflect the tendency that has set in, even among the most conservative lawyers, to accept the supremacy of the Supreme Court in fixing the meaning of the Constitution.

But as Russell Hittinger has pointed out, Lincoln could not have raised his hand and taken the oath of office on March 4, 1861, if the decisions of the Supreme Court had the same standing as the Constitution itself. Lincoln could not have sworn to uphold the Constitution if the new "rights," articulated in *Dred Scott v. Sanford* (1857), had a claim to be respected as though they were woven into the text of the Constitution. In our own day, even Republican lawyers, nestled in the legal establishment, have forgotten the precise lessons that Lincoln taught here, or they no longer credit that teaching. And yet, that teaching was irresistible.

The question posed in the crisis of his time was, How would one respect the decisions of the Court, as in the case of *Dred Scott*, in a regime that counsels respect for the law, if we were persuaded that the decision had been deeply wrong—so wrong, in fact, that it would change the regime itself if it were acquiesced in? In the circles of the *Claremont Review of Books*, Lincoln's understanding has become quite familiar, but it is never out of season to recall at least the main lines of his argument. Lincoln remarked that if the Supreme Court decided that *Dred Scott* would remain a slave, others must not form a mob to free him. The decision of the Court would be respected—but only as it bore on the litigants of that case.

But there was a serious question about the principle, or the doctrine, that the Court had set forth in establishing the ground of its judgment. That principle promised to shape the laws, and fix the policy of the country, in a manner that swept far beyond the case at hand. Lincoln's argument was that neither the citizens, nor the politically responsible officers of the government, were obliged to accept that

principle in the matters that came before them. He insisted, in other words, that the political officers of the government would not be obliged to accept the larger doctrine put forth by the Court unless they themselves were persuaded of its rightness by the reasoning of the judges. Instead, the political officers had to preserve their freedom to act on another principle, and seek to overturn the rival doctrine put forth by the Court. Were that not the case, as Lincoln said, in his First Inaugural,

the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. [emphasis added]

Lincoln's understanding was tested right away, in the first days of his administration, in two cases coming out of Massachusetts. A young black man in Boston had sought a passport to study in France, but he had been denied the passport on the strength of the *Dred Scott* decision: as the rationale ran, black people could not be citizens, and therefore, it was reasoned now that they could not carry American passports. For the same reason, a black inventor in Boston was denied a patent under the laws of the United States. Neither case involved a slave litigating over his freedom. In both cases, agencies of the federal government had applied the principle of the *Dred Scott* case to circumstances quite remote from that case. The Lincoln Administration quashed both decisions. It issued the passport and the patent, and it came forth with an opinion of the Attorney General, Edward Bates, declaring that, in the understanding of the Lincoln Administration, free blacks born in the United States were in fact citizens of the United States. In all decisions coming under its hand, the executive would act on that premise—even though it ran counter to the principle proclaimed by the Court in the *Dred Scott* case.

Understanding the Argument

NOW WE SHIFT TO ANOTHER TIME and another scene: Massachusetts, early in 2004, just after the Supreme Judicial Council has struck down, in effect, the traditional laws on marriage and installed same-sex marriage. I was trying to suggest, in articles and pleadings with friends, that Governor Mitt Romney take Lincoln's approach to the

problem: he would respect the outcome of the case in regard to those litigants in the case of *Goodridge v. Department of Public Health* (2003), but he might insist that the offices issuing marriage licenses, that the justices of the peace performing marriages, would still be governed by the standing laws. Any couples seeking to elicit the same judgment from the courts would have to take it upon themselves to bring forth their own suits.

I sketched out this proposal to a dear friend, a seasoned and accomplished lawyer, and a prolifer. He was aghast. He insisted that if Romney backed such a scheme, he would deserve to be impeached. But did that mean that Lincoln had been wrong? It doesn't matter, said my friend, for no one understands that argument any longer. No one understands? Then why is the Left permitted to keep acting upon the same doctrine even in our own day—most notably regarding the War Powers Act of 1973?

In the case of *INS v. Chadha* (1983), the Supreme Court struck down the "legislative veto," the scheme in which the executive could take the initiative on any matter—until the act was vetoed, in effect, by Congress. And yet the legislative veto was absolutely central to the War Powers Act: the president could commit troops for 60 days, but the deployment could be sustained only if it were upheld by Congress. Presidents since then, including Bill Clinton, have largely ignored that Act, but Democrats cherish it too much to accept its repeal. In the understanding of the Left nothing done by the Court has undone the constitutionality of the War Powers Act. The *Chadha* case has been understood by the Left as a case confined to the issue of immigration. In other words, the Left has narrowed the holding in *Chadha* to settle only the issue engaged in that case, for the litigants in that case. But the broader rule, or principle, articulated in that case, has not been accepted, and indeed Congress had continued to enact a stream of measures containing the legislative veto. Which is to say, the Left has backed into the Lincolnian position even as conservatives affect to believe that no one any longer understands that argument or takes it seriously.

One of the ironies here is that many of the anxieties suffered by conservative lawyers and jurists would be notably diminished if they merely accepted Lincoln's understanding. Robert Bork seriously suggested for a while a plan to allow Congress, by a two-thirds vote, to override a decision of the Supreme Court on constitutionality. He receded from that plan; but really, there was no need for it. Lincoln's understanding offered a plan far simpler—and far more effective. Judge John Noonan once offered a list of the cases in which Congress confronted the Court and the Court was induced

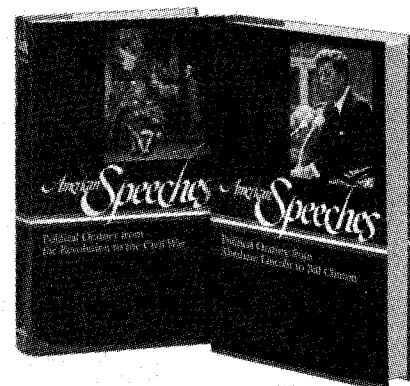
to shade away from a decision it had handed down. The most dramatic example of course came with *Dred Scott*: in June 1862, the Congress passed—and Lincoln signed—a bill that barred slavery from the territories of the United States. That Act directly contradicted the holding in *Dred Scott*. The matter could proceed to a constitutional amendment (which it did). But it could have been settled also in another way, as the Court was persuaded by another branch of the government to take a sober second look at what it had done, to reason anew, and come to a better judgment.

The Law of You-Know-What

NO JUDGE HAS WON MORE CONSERVATIVE hearts in recent years than my own friend Antonin Scalia. Scalia has railed against natural law as too hazy to offer guidance to judges in any case, too productive of disputes that find no answer. And yet, in his relentless, piercing, logical style, he has offered at times the most striking examples of natural law reasoning, all the while professing that it could not be done. One must recall in this vein Alexander Hamilton in *Federalist* 78, when he explained that we work under this rule of construction: that any later statute supersedes an earlier one. But that is not the rule we employ with the Constitution, for the Constitution that came earlier must take precedence over the statute that comes later. Were that not the case, the Constitution would lose its meaning as a control over the legislative power. But how do we know this, asks Hamilton, since this understanding, so critical to the practice of our law, is not contained in the Constitution. As Hamilton put it, these rules to guide the law are "not derived from the positive law, but from the nature and reason of the thing."

Might this have been what Blackstone had in mind when he referred to "the laws of reason and nature"? But conservatives seem serenely unaware that they are doing natural law when they bring to bear on the cases at hand a rigorous application of the canons of reason. If we had the space I could offer some notable examples, drawn even from the most recent cases of *Rapanos v. United States* or *Hammon v. Indiana* in which Scalia took matters to the logical root. In one instance he had to remind Justice Kennedy that that which is "like navigable waters" is not itself "navigable waters," under the statutes of the United States—or, we might add, the statutes of any other place. So compelling, in fact, was his argument, that it is quite plausible that courts in exotic places, in Zimbabwe or Hungary, could find their way to the same ground in settling their own legal judgments. The law of contradiction is universal because it is logically

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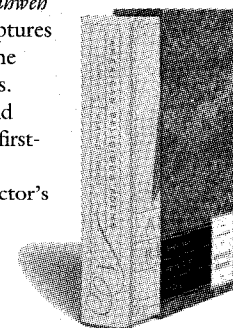
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necessary. When jurists bring to bear the canons of reason, grounded in that law of contradiction as its anchoring point, they furnish the ground for a law that is no less universal in its reach. They are doing in effect the law of the dreaded N-word (nature, natural law). Or we might say, the Law of You-Know-What—just as long as we don't say the word and acknowledge that we may be doing natural law, even while we spend a certain genius in deriding that enterprise.

But if that kind of argument, artfully made, will not dissolve the uneasiness of Justice Scalia and other conservative judges, why might they not draw some consolation yet from Lincoln's teaching? Even if the judges made some glaring mistakes as they sought to apply the laws of reason, and do that version of natural law reasoning, those mistakes can be narrowed to the case at hand.

The political branches may resist, may counter, may confine the reach of a decision, and put another rule in its place. They may continue, in other words, an ongoing conversation, in which no branch, exactly, has the final word. And that state of affairs makes it necessary that the president, no less than the judges, has the standing and the responsibility to reach judgments on the Constitution. More than that, he has the obligation to impart those judgments to the public—in the first place to make clear the justification of his own acts, and in the second, to remind the public that the Constitution is not the sole custody or responsibility of the judges.

Commander in Chief

PRESIDENT BUSH, TO HIS CREDIT, HAS sought to impart to the public many articles of conviction important to know: most notably, that one doesn't deal with deadly enemies by serving them with legal papers, or that there is a compelling case for encouraging, in other countries, a regime of consent built upon "natural rights." Indeed, Mr. Bush may be the first president since Lincoln to speak seriously of natural rights—viz., that we did not give these rights to ourselves as a species of positive law, that they are grounded in a distinct human nature, and the gift of that Creator who endowed us with rights. But anyone taking in a full picture of President Bush over the past six years would not find any suggestion that he understands, as one of the principal duties of his office, the framing of judgments about the Constitution and its bearing on those measures that come under his hand. Quite the opposite: Mr. Bush has been content to treat constitutional matters as someone else's business—as business meant distinctly for the courts. He has certainly stayed as far away as possible from the most contentious constitutional issue of our

time, abortion. He has spoken on this matter only when absolutely necessary; he has taken virtually no place in the public argument on this question; and he speaks only in the setting of the religious or pro-lifers. The media treat his remarks in these settings as meant only for the groups assembled, not as part of an effort to draw the larger public into a conversation or an argument.

Granted, he mulled aloud over the constitutionality of the McCain-Feingold Act, something to the effect that this vast scheme to restrict the freedom to criticize candidates for office might possibly be unconstitutional. But when the critical time came, when the bill passed, he kicked the can down the road to the Court. He exercised no veto, made no statement to call into question the compatibility of that Act with our fundamental law. Here, as elsewhere, his political reflex was just to take the issue off the table, to avert any attempt to caricature him as an enemy of reform. Perhaps he might well have thought that he had no better judgment to offer here than the justices of the Supreme Court, as they concentrated their tutored minds. And yet, there was an institutional interest at stake: an interest in reminding the public that the president has standing to pronounce on these questions of the Constitution, and that he speaks at times for the deep interest of the public that may be bound up with preserving, unimpaired, the constitutional powers of the executive. The deeper irony is that the unwillingness of the president to grasp his warrant here has come back to bite him on the war powers of the executive.

That is the one matter of constitutional law that has indeed drawn the president's most earnest interest. He had not expected that the central, dominating part of his presidency would be the direction of a war, but there he is, and if he had to pick his battles, it made sense for him to expend his efforts, in any "constitutional" arguments, by concentrating on powers of the executive in time of war. And yet, the fact that he has so conspicuously receded from any responsibility to speak on the Constitution has impaired his efforts to invoke the Constitution in defense of his own powers. His exertions there have been painted more readily as an interest in defending his own personal power. Lost in all of this is the sense of the immense stakes that the rest of us have in preserving those powers of the executive unimpaired. Here I speak with an edge of personal interest, for there is probably no one in my family who would be alive today were it not for the flexing of the executive powers in foreign affairs by FDR beginning in 1940-41. In comparison with FDR, George W. Bush's flexing of that power has been far more restrained, far more limited and hedged; and yet

he has been pilloried for his efforts. Consider, as but one example, a bill signed by the president on December 30, the "Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006." Among its many curious provisions, the bill stipulated that "no funds available to the Department of Defense...may be used to transfer defense articles or services, other than intelligence services, to another nation or an international organization for international peacekeeping, peace enforcement, or humanitarian assistance operations, until 15 days after the executive branch notifies six committees of the Congress of the planned transfer." The intent was understandable, but the measure clumsy. It made eminent sense for the president to observe that, "to the extent that protection of the U.S. Armed Forces...might require action...sooner than 15 days after notification, the executive branch shall construe the section in a manner consistent with the president's constitutional authority as Commander in Chief." The drafters of the bill might not have noticed that they were undercutting the discretion quite necessary to the commander in chief, and there was nothing at all amiss in the president merely noting that he would read the bill in a manner that was more consistent with his reading of the Constitution. And yet, for this move on his part, quite familiar over the years with American presidents, he has been denounced as though he had embarked on some sinister scheme, springing from a perverted genius of his own. Even Dianne Feinstein, usually more temperate than her Democratic colleagues in the Senate, took leave of her sobriety. She remarked that "if the president is going to have the power to nullify all or part of a statute, it should only be through veto authority that the president has authorized and can reject—rather than through a unilateral action taken outside the structures of our democracy." It seemed to escape the notice of Senator Feinstein that Mr. Bush was doing nothing more than John Marshall had professed to do in *Marbury v. Madison*: not strike down an Act of Congress, but simply explain that he could not give effect to a statute that, in his judgment, ran counter to the Constitution. In case Senator Feinstein hadn't noticed, when judges do these kinds of things, they act as "unilaterally" as the president.

The Court, in the recent *Hamdan v. Rumsfeld* case, simply put aside the congressional act that barred the jurisdiction of the courts in dealing with detainees in this time of war. Had the Court consulted with the Congress before it showed such contempt for the clear powers of Congress to determine the appellate jurisdiction of the Court? And speaking of breaking through constitutional boundaries: Had

Senator Feinstein noticed that the judges, for the first time, presumed to transfer to themselves the power to second-guess and supervise decisions taken by the military in a theater of operations?

The president made the right move when he called on Congress to "clarify" the law, but he passed up a moment to impart clarity himself. What he was really asking the Congress to do was overturn the judgment in *Hamdan*, which the Congress essentially did. Justices Stevens and Kennedy were apparently willing to add to their luster by appointing themselves as de facto presidents of the United States in making decisions governing the battlefield. But as John Yoo remarked, it went apparently unnoticed that the Congress had now "strip[ped] the courts of jurisdiction to hear any habeas corpus claim filed by any alien enemy combatant anywhere in the world." That point would not have slipped the public understanding if Mr. Bush had drawn the line sharply this past summer and challenged the Court for extending the reach of its power yet again, into a domain where judges should never tread. For there is no principle running deeper in the American regime—running back, indeed, to the Revolution and to the principle of government by consent: the lives of the American people may not be put in the hands of officers, whether in the British parliament or in courts, who bear no direct responsibility for the lives that are at stake. That should have been ground on which Mr. Bush called Congress back from the summer to legislate. And it would have helped to establish the ground for the campaign in the fall.

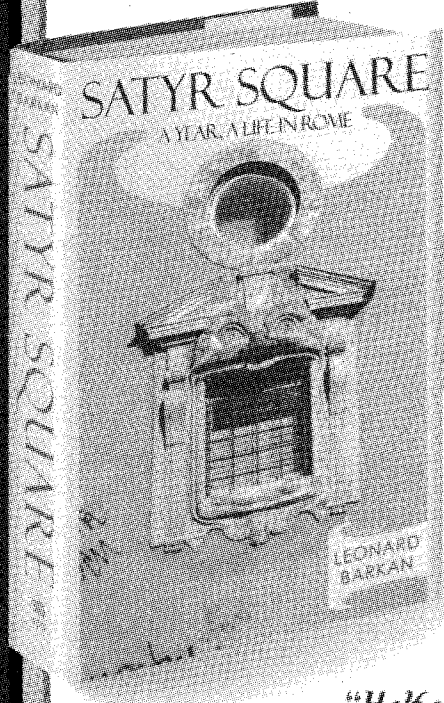
Saying Nothing

EVERYTHING, OF COURSE, IS CONNECTED, and what Mr. Bush might have done to defend his constitutional powers in this case would have carried over to the other places where he has been accused of high crimes and misdemeanors. The charge that lingers, most notably, involves his willingness to go beyond the provisions of the Foreign Intelligence Surveillance Act (FISA) in ordering surveillance without a warrant when time was pressing. During the Second World War, FDR wished to tap all calls made in the country for the sake of investigating their possible "subversive" nature. He was advised by Robert Jackson that Congress would never approve, and so the president ordered the wiretapping on his own while sparing Congress the need to face that uncomfortable question. FDR fell back upon his constitutional responsibility as commander in chief to defend the country. Justice O'Connor once noted that, in the judgment of Congress, Smith and Mt. Holyoke,

as colleges for women, do not offend the Civil Rights Act. Still, she observed, that would not dissolve the question of whether those arrangements, for single-sex schools, were compatible with the 14th Amendment. Why does it seem so bizarre then that a president could make a comparable argument? If the procedures of a statute get in the way of moves that are necessary to protect American lives, his obligations under the Constitution may have to override his adherence to the statute. One telling sign of the president's stance on matters of the Constitution was revealed indirectly by Karl Rove. The occasion was the winter meeting of the Republican National Committee last January 20, on the anniversary of George W. Bush's inauguration. It was, altogether, a remarkable speech with a range and nuance that befitted a president, not merely the main advisor to the president. Rove observed, at the outset, that "our opponents are our fellow citizens, not our enemies." He called for civility in discourse; he would not question the patriotism of the Democrats. But he would raise probing questions about the willingness of the Democrats to do the things necessary to defend the country. He would hit hard on the themes of war, taxes, and growth, and he took note of the shifting alignments that had brought the Republican Party to the threshold of becoming

the majority party. And yet, Rove said nothing of the issues that, far more than others, had produced the dramatic partisan shift in many parts of the country that had once been the firmest of Republican strongholds—e.g., Bergen County, New Jersey; Nassau County, New York; Bucks County, Pennsylvania. These areas had been flipped by the issues of the "culture wars," and foremost among them the issues of abortion and same-sex marriage. But of these, Rove would say nothing. Or rather he would speak in a code: he would refer to the appointments of John Roberts and Samuel Alito to the Supreme Court. In other words: we've given. What we have done about these matters is appoint Roberts and Alito, and the rest is up to the alchemy that takes place in the Court.

Karl Rove is no trifling ally of the pro-life movement, but his meaning was rather clear: Bush would play no role in making arguments about abortion and the "life issues"—he would leave those matters to the courts. The president did come down on the side of supporting a constitutional amendment on marriage, but once again, as on abortion, the leadership came from Congress, not from the White House. The activists for same-sex marriage were stunned by setbacks in the elections of 2004, but over the past year the momentum has remarkably shifted back to their side. The crisis over marriage



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—BETTY FUSSELL

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has been deepening, and yet it is clear that the president will take no role in stirring the public argument.

In the recent midterm elections, the voters in seven states passed amendments to their constitutions in an effort to preserve marriage as the union of a man and a woman. Even liberal Wisconsin passed that kind of measure, which lost only in Arizona—and lost there even though it commanded a majority among blacks. Still, the satisfaction has been tempered by the awareness that any of these amendments may be swept away, in a stroke, by a federal judge. The only surety here would come with a constitutional amendment, and that may have to well up now from the states themselves. With Rick Santorum sadly removed from the Senate, the Republican caucus loses one of the main sources of energy pressing that issue on a Republican leadership utterly wanting in the conviction or the nerve even to raise the matter. The president came out of the election of 2004, as he said, with “the wind at my back.” He used the moment, in a game way, in an effort to alter the scheme of Social Security. And yet it was arguable that the country, 30 years from now, might seem little changed if we were muddling through with patches on Social Security. But the country is likely to look quite stranger to us if the institution of marriage unravels even further, bringing polygamy, along with other variants yet to reveal themselves. Mr. Bush made a judgment. But that judgment did not spring from a sense of just what institutions were more or less central to the regime he was seeking to preserve.

Raising Questions

RONALD REAGAN WAS ABLE TO STIR THE public argument in a useful way just by raising questions—as he did when he raised the issue of whether children in the womb could feel pain when they were aborted. George W. Bush has had the chance to intervene, in a productive way, with a Republican Congress, on matters touching abortion by rais-

ing questions quite as simple. For example: the courts have enjoined the bill that prohibits the grisly surgery of partial-birth abortion, but why should the taxpayers be implicated in a surgery that nearly 80% of the public opposes? Should we consider removing federal funds from any hospital or clinic that houses that “procedure”? And if we did do that, would the formulas of the Civil Rights Acts apply? If a student gets a loan from the federal government, all parts of a college or university now come under *all* federal regulations. Would the same thing be said of abortion clinics? If a clinic has, among its patients, anyone who is on Medicare, or receives a Social Security check, or even a refund from the IRS, is the whole place a recipient of federal funds? Or might the Democrats be willing then to revisit and undo this whole scheme of extending the federal power by offering and withholding federal grants?

There was no need here for an executive order. There was a need only to raise questions, as Ronald Reagan in the past raised the questions that drew in his adversaries. The simple raising of these questions would have generated some wholesome tensions, especially in the tents of Mr. Bush’s adversaries. Such questions might also have illuminated something of the Constitution, and advanced, in small steps, the cause of protecting children in the womb. Oddly enough, the utility of raising those questions may even be more pronounced in the aftermath of the election. For the Democrats have in their ranks many more pro-lifers, who will be under some need to show the folks back home that they were serious. Here is one of those instances in which the willingness to generate a certain strain for the opposition is not only good for policy, but artful politics as well. Mr. Bush could help sharpen the differences between the parties as we run up to the presidential election in 2008. But to raise issues in this way has never been part of Mr. Bush’s style. It would take a surge of imagination and playfulness to raise them now; and if Mr. Bush did not show those reflexes in the past, he seems unlikely to show them

now. Once again, raising issues that touch on the meaning of the Constitution seems not to be part of his “job description,” or his understanding of himself.

The scene: Washington, D.C., hearings before the House Judiciary Committee, July 2001. It is the second go-round on the bill to protect a child who *survives* an abortion (the so-called Born-Alive Infants’ Protection Act). I was given the privilege of leading the testimony for this bill, a bill I had in fact proposed years ago in a paper prepared for the man who would become the first President Bush. We were seeking to establish, in the most modest step of all, that Congress could indeed legislate to mark the boundaries or limits of the so-called right to abortion. The legislation could not help offering a construction that would mark a limit to the reach of the holding in *Roe v. Wade* (1973)—namely, whatever the right to abortion meant, Congress would insist that the holding could never imply a right to kill a child now born, with the pregnancy of the mother ended. Our persistent adversary, Rep. Jerrold Nadler (D-N.Y.), was quick as ever to pounce: if we were in the business now of correcting or undoing certain holdings of the Supreme Court, why don’t we turn the genius of Congress to correcting another controversial case, *Bush v. Gore*, the case that essentially settled the election of 2000. The transcript, as ever, was garbled, but what was said in response was this: we would indeed encourage you, Congressman Nadler, to try your hand at that, for the exercise must always be useful. It is good to remind people that the political branches have a role to play in interpreting the Constitution. But you’ll have to keep in mind, Congressman, this part of Lincoln’s understanding: whatever you do in correcting *Bush v. Gore*, just recall that you will have to respect, of course, the holding of the case in regard to *those two litigants*.

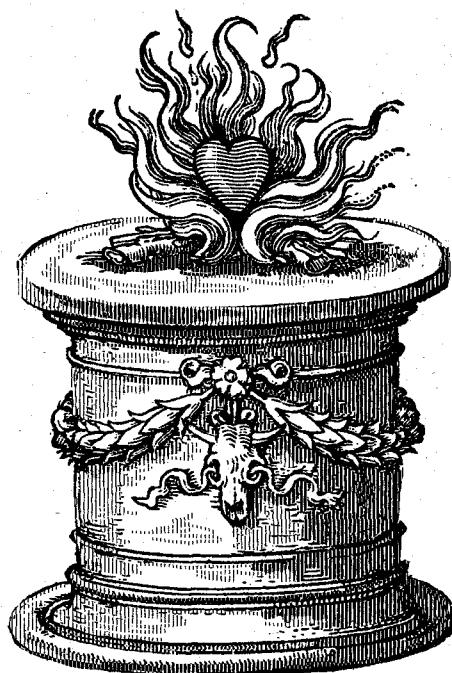
Hadley Arkes is the Edward Ney Professor of Jurisprudence at Amherst College. His most recent book is Natural Rights & the Right to Choose (Cambridge University Press).

Book Review by Glen E. Thurow

GOD OF BATTLES

Upon the Altar of the Nation: A Moral History of the Civil War,
by Harry S. Stout. Viking, 576 pages, \$29.95

The Civil War as a Theological Crisis, by Mark A. Noll.
University of North Carolina Press, 216 pages, \$29.95



THE CIVIL WAR IS THE CENTRAL EVENT in American history for many reasons, not least because its participants had to answer, at least implicitly, profound questions about the character of the United States, its Constitution, and its union; the justice of slavery; the proper limits of political and military action; and even the nature of God's providence and our knowledge of it. Two new books examine the Christian clergy's intellectual and moral leadership during the war and find it wanting.

In the course of reading *Upon the Altar of the Nation*, one is inclined to think that Harry Stout, the Jonathan Edwards Professor of American Christianity at Yale Divinity School, has read every extant sermon delivered during the Civil War and given us at least an excerpt from each of them. The argument that runs through these quotations is that neither Northern nor Southern clergy sufficiently questioned and condemned their government's actions during the war, which the author argues were fundamentally unjust.

Stout reaches this conclusion by applying to the Civil War the "just war theory" developed by Augustine, Aquinas, and later theologians, but this approach breaks down almost immediately. Traditional just-war theory first asks

whether there is a just cause for going to war. For Stout, only defensive wars can be just, but he does not examine whether either the North or the South was fighting a defensive war. Instead, he throws up his hands, confessing that "[i]n civil wars...it often becomes difficult to discern with finality who is the unjust aggressor and who the just defender." He never says whether there was a just cause for the Civil War, and does not even suggest how one would begin to answer this question.

Undaunted, he focuses instead on the conduct of the war, applying two further just-war principles: whether the sacrifices in lives and material are proportional to the goals sought, and whether civilians are protected and not made a deliberate target of attack. He argues that as the war proceeded it became more and more a "total" war in which, contrary to these principles, thousands of military casualties were accepted uncritically and civilians were treated as though they were combatants.

Often a fine narrator of the war's battles and movements, particularly in bringing alive the sufferings of both soldiers and civilians, Stout fails utterly as a moral theologian. One cannot determine whether the sacrifices were commensurate with the ends sought unless one knows

what those ends were. Although he seems sometimes to deny that slavery had much to do with the start of the war (it was a war for the Union, he says), he is aware that as the fighting continued the end of slavery became more and more prominent as a war aim, and that this shift increased the war's intensity. How much sacrifice could be justified in order to end slavery? Which is worse: "total" war or slavery? *Upon the Altar of the Nation* does not help us to think through these issues.

STOUT THINKS BOTH WAR AND SLAVERY are evil. But what if a nation can get rid of one only by accepting the other? Failure to confront this dilemma leads him to make some very confused judgments. He suggests that African-Americans had a just cause for war while white Americans did not, as though it were more just to fight for one's own freedom than for the freedom of one's fellow Americans. He praises General George McClellan for his unwillingness to fight in circumstances in which he might lose a great many men. At times McClellan seems to be the book's hero, because he is the sole general said to act in accordance with just-war theory. Yet at other places Stout clearly recognizes that President Lincoln could never

win the war (and thus end slavery) with generals unwilling to fight, and so the author joins the general criticism of McClellan as a man who would never lose a battle because he would never fight one.

Stout does not know what to make of Lincoln. He sees that Lincoln did not simply join in the sectional blindness he believes was characteristic of most Americans. In the Second Inaugural and elsewhere the president blamed the North as well as the South for the sin of slavery and denied that he knew what God wanted. Yet according to Stout, it was Lincoln who drove the war home and committed "unforgivable wrongs" in doing so, engaging in a "feeding frenzy of blood for blood's sake." He argues that Lincoln issued the Emancipation Proclamation in order to escalate the war into "total" war, but is not willing to say that Lincoln should not have issued the Proclamation.

The president wanted to win the war, and there was no gentle way of doing so. Stout does not suggest any alternative path to victory that would have saved more lives. What would have been the proper compromise to make? At times Stout sounds like a Northern Peace Democrat—but again he cannot quite bring himself to say that it did not matter whether slavery continued to exist or not. Or would it have been more just had the North fought more genteelly, but been defeated?

Nowhere does he examine the compromises that American statesmen attempted to make in the decades before the war, nor the great national debates over the extension of slavery that led up to it. Nor does he face Lincoln's contention in his First Inaugural that an individual state had no right to break up the Union. For all his many quotations, Harry Stout never takes the views of those actually engaged in the struggle with any seriousness.

MARK NOLL DOES NOT MAKE THIS mistake in *The Civil War as a Theological Crisis*. Noll, the Francis A. McAnaney Professor of History at the University of Notre Dame, takes seriously the theological views of the Protestant clergy, both white and black, during the war, as well as the views of the smaller number of Catholic clergy. He also examines the analyses of the war given by both Protestant and Catholic theologians in other countries. Although he is critical of the American clergy, his criticisms stem from grappling with the same problems they thought they had solved.

Noll believes that the Civil War generated two crucial theological questions that were not adequately answered by the Protestant Christianity dominating the country. The first was what Christianity should teach about slavery and race. The second was what God's purposes in the war were.

Noll argues that mid-19th-century American Protestantism, though retaining its faith in the Bible as the ultimate authority, had reinterpreted that faith in light of certain Enlightenment and democratic sentiments. The result was the widespread conviction that each person could adequately interpret the Bible for himself, and could confidently base his moral and political actions upon that interpretation. This union of democracy and Christianity had given the religion immense strength in the U.S. (as Tocqueville showed so vividly). But with the division of the nation, it created a situation in which Northern and Southern partisans could each read the Bible to endorse opposite causes.

There were more insidious consequences as well. The belief that each person could interpret scripture for himself led to a dependence on the "letter" of the Bible, rather than more subtle interpretations reaching to its "spirit." It was not so easy to say whether the Bible was for or against slavery. Broadly speaking, the letter of the Bible at least seemed to tolerate, if not endorse, slavery. (Jesus never condemns it, while St. Paul advises the slave to return to his master.) Those who argued that the Bible condemns slavery generally resorted to arguments from its spirit. But to argue in that fashion appeared to many of the most faithful, in the North as well as the South, to undermine the authority of the Bible itself. At the same time, Noll argues, the conflation of democratic sentiment with Christianity made it easy to think that common opinions having no warrant in the Bible were nevertheless biblical, such as the opinion that the black race was inferior.

Faith in the powers of human perception and judgment, combined with intense religious conviction, also made Americans confident that they knew God's purposes and methods in governing the world. This often made men certain that God was on their side; but even when it did not, religious leaders gave "secure, unequivocal readings of providence." This shallow confidence in one's own knowledge of God's workings could convince no one not already convinced. Noll contrasts the thinness of these

religious opinions with the depth of Lincoln's understanding of God's providence. In Noll's words, "Lincoln joined together trust in providence and much agnosticism about the work of God in the world." But Lincoln's theological views had no influence in spite of their powerful expression.

NOLL ARGUES THAT PROTESTANTISM'S moral energy was exhausted by its inability to meet the crisis arising from contradictory readings of the Bible, and by its overconfidence in discerning the ways of God. After the war, secularists increasingly came to dominate the public sphere as Christianity retreated into the private sphere, unable to give the nation unified moral direction.

The author also examines the opinions of Protestants and Catholics abroad. He argues that conservative Catholic analyses help to pinpoint American theology's weaknesses, particularly the problems involved in letting every man be his own interpreter of the Bible. Christianity cannot be authoritative for the political order without itself having an authoritative voice. Yet how can theology's authority be exercised in a manner consistent with democratic principles?

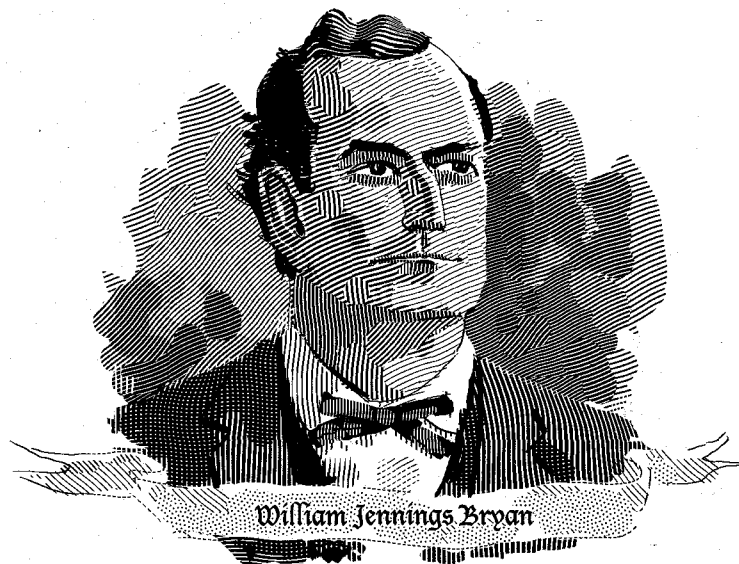
Noll's argument at times seems half-digested. He yearns for the South's communitarianism without showing how it could be divorced from slavery. He chides American theologians for taking inadequate account of new currents in European thought, without showing whether they should have resisted or embraced those currents. He laments Christianity's inability to be the nation's moral center, while praising secularism's tolerance. He admires the Catholic Church's authoritative voice, while being unsure that it is compatible with democracy. These dangling opinions may be due to the fact that most of the book's chapters were originally lectures, suggestive but sketchy. Or they may be the result of our contemporary academic culture's pressure to publish great quantities. (One yearns for the days when books were completed thoughts.) Nonetheless, Noll easily outdoes Stout in penetrating the problems faced by American Christianity in the Civil War. Mark Noll knows what one must think about, even if his own thoughts have not reached a conclusion.

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Book Review by Fred Siegel

SILVER-TONGUED DEMOCRAT

A Godly Hero: The Life of William Jennings Bryan,
by Michael Kazin. Knopf, 400 pages, \$30



A GODLY HERO, BY GEORGETOWN HISTORIAN Michael Kazin, is an admirable if quixotic attempt to refurbish American liberalism by reconsidering the life of William Jennings Bryan. Insofar as he is known at all today, the three-time presidential nominee of the Democratic Party (in 1896, 1900, and 1908), is thought of as the religious fanatic whom H.L. Mencken mocked for his role in the Scopes trial. "A peasant come home to the barnyard," Mencken called him. When Bryan died a few days after the trial, Mencken boasted that he had "killed the son-of-a-bitch." Actually he killed Bryan twice, because it is Mencken's contemptuous take on Bryan that has been passed down to contemporary liberals through Frederick Lewis Allen's widely read 1931 book *Only Yesterday*, and the 1955 hit play and 1960 movie about the Scopes trial, *Inherit the Wind*.

Kazin does not argue on behalf of Bryan's religious views, which were nondenominational and tolerant. Instead Kazin's principal aim is to demonstrate that "the Great Commoner," as he was known, was hardly the provincial idiot of Mencken's caricature. On the contrary, Bryan was a man of considerable learning and enlightenment who was, except on the issue of race, broadly liberal. Accordingly, much of Kazin's well-written and largely well-argued book is devoted to dissolving Mencken's bile and describing the emotionally charged relationship between Bryan and his followers, many of whom looked to him as a political savior.

He rose to prominence in the wake of the depression of 1893, the worst downturn in American history up to then, which left despairing Southern and Midwestern farmers deeply in debt even as the price of manufactured goods rose due to an unprecedented wave of business mergers. A defender of the American farmer against the railroad monopolies and the deflationary effects of hard money, Bryan saw himself as a latter-day Andrew Jackson, at war with the same "moneyed power" that Old Hickory had fought.

A well-read world traveler and "feminist" who treated his talented wife as an equal partner, Bryan decried the sin of religious prejudice. He roundly criticized his supporters who attributed his 1908 defeat by William Howard Taft to a Catholic conspiracy; and he later took Henry Ford to task for publishing the *Protocols of the Elders of Zion*. Like other adepts of the social gospel, Bryan insisted that the only authentic Christianity was "applied Christianity." He sought a politics based on "principles which are eternal"—principles that he found in the Bible, the Constitution, and Thomas Jefferson.

Bryan's melding of Jesus and Jefferson as well as his oratorical gifts first came to national attention with his famed "Cross of Gold" speech at the 1896 Democratic National Convention. "Bryan," Kazin notes, "never forgot that he was speaking to a gathering dominated by people... who agreed with him. What they craved was a memorable statement of what they already believed." When his turn at the podium came, he

extolled the producing classes of laborers, farmers, and small businessmen who, he argued, were more important to America than "the few financial magnates who, in a back room, corner the money of the world." Then came the speech's climax: "Having behind us the producing masses of this nation and the world," he roared, "we will answer [the financiers'] demand for a gold standard by saying to them: You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold." Bryan then stepped back from the podium and stuck out his arms horizontally from his sides, holding a crucifixion pose for several seconds. His theatrics, Kazin reports, left the convention awed and hushed—until the crowd erupted in wild applause.

The next day the two-term, 36-year-old congressman from Nebraska was nominated for president. His argument—that an un-Jeffersonian, activist government was needed to restore the Jeffersonian promise of America as a land of opportunity—was unsuccessful with the electorate, but marked a decisive turn by the Democrats away from the laissez-faire economics of Grover Cleveland.

Running parallel to Kazin's rehabilitation of Bryan the man is a second, and somewhat less successful, argument for Bryan as one of the intellectual sources of New Deal liberalism. It was Bryan's populism, Kazin insists, that paved the way for Teddy Roosevelt's Progressivism and then for the New Deal. Kazin approvingly quotes Herbert Hoover complaining that the

New Deal was "Bryanism under new words and methods," and claims that "New Dealers in the 1930s only had to flesh out" Bryan's reform proposals "with a profusion of agencies and regulations." This is half right. Bryan's populism made the New Deal possible, but the New Deal was not an extension of Bryanism.

WHAT'S MISSING, FROM BOTH KAZIN'S narrative and his understanding of the New Deal, is the parallel but very different stream of American liberalism laid out by Herbert Croly in his book *The Promise of American Life* (1909). In the early to mid-1960s, when Bryan had long been eclipsed, Croly was still current; five different publishers reissued *Promise*. Croly's argument, wrote Arthur Schlesinger for the Harvard University Press edition, "still holds up in the age of Galbraith and Berle."

While Bryan, a Democrat, and Croly, a Teddy Roosevelt Republican in 1909, both called for a far more active federal government, their personalities and their reasons were strikingly at odds. Bryan, the spokesman for local interests run aground by the new national corporations, was in some ways the less provincial of the two. He was no stranger to the city, even if he spoke for the heartland, while Croly, a classic Manhattanite modernizer (albeit with a mystical streak) had a scant sense of America west of the Hudson. Bryan, whose favorite book was the Bible, was in many ways a hail-fellow-well-met. Croly, whose sanctimony was mocked as "Crolier than thou," was a painfully shy man who told Edmund Wilson that "he saw his culture as mainly French."

Bryan spoke for the suffering of what he saw as "the producing classes," the workaday citizens who wanted to see the traditional promise of

American life restored. Croly, a follower of Auguste Comte, spoke for his "exceptional fellow countrymen," the emerging professional classes, alienated artists, intellectuals, and scientists who felt stifled by America's Jeffersonian traditions. Croly accused Jeffersonians like Bryan of "suppressing fruitful social and economic inequalities...in favor of intellectual and moral conformity." While Bryan sought redress of suffering in order to return the country to what he saw as its rightful origins, Croly sought to transcend the limitations of America's business culture in order to uplift America into something morally and aesthetically more like Europe.

Croly dismissed the wordy and not always intellectually rigorous Bryan as a man born "too late." His "dislike of organization and of the faith in expert skill, in specialized training, and in large personal opportunities and responsibilities which are implied by a trust in organization," Croly insisted, "disqualified him for effective leadership of the party of reform."

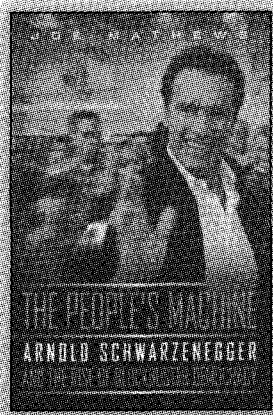
"When reform comes to this country," Bryan insisted, "it starts with the masses" and not "the brains of scholars." The reforms of the New Deal were in this sense contrary to Bryan's spirit. When the New Deal arrived it was led by Croly's "exceptional fellow countrymen," who had been weaned not on Bryan's philosophy of the American common man but on the European theorizing of *The Promise of American Life*. Although FDR spoke approvingly of the "average American," his administration consisted of experts acting in the name of, but not necessarily on behalf of, commoners. Modern liberalism—before, during, and since the New Deal—has been based largely on Croly's exceptional fellow countrymen, the professionals who feel contempt for businessmen and pity for the unwashed.

Near the close of *A Godly Hero*, Kazin wonders why so few liberals have ever grasped the irony that it was Bryan who got "tagged as a right-wing authoritarian," not the rabidly anti-democratic and often anti-Semitic Mencken, who instead came to be seen as the "champion of liberalism." Unfortunately, this is less ironic than it appears. To modern liberals, Bryan became just another backwoods authoritarian, a stock character in their stilted morality (or immorality) play, linking the Scopes trial, McCarthyism, Richard Nixon, and George W. Bush.

In this ambitious volume, Kazin gets the origins of contemporary American liberalism and the New Deal wrong. But he gets Bryan right, and for that his readers should be grateful.

Fred Siegel is professor of history and humanities at The Cooper Union and author of *The Prince of the City: Giuliani, New York and the Genius of American Life* (Encounter Books).

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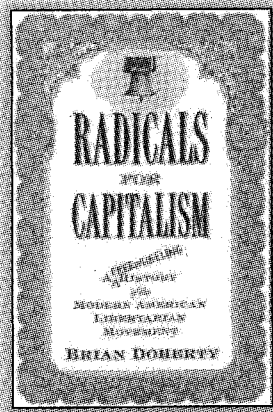
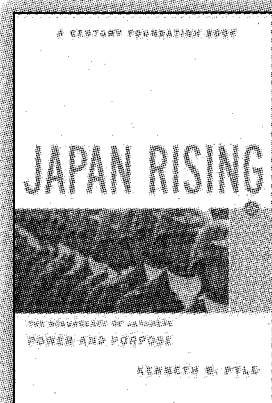


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A NEW DEAL FOR ROOSEVELT

The Defining Moment: FDR's Hundred Days and the Triumph of Hope,
by Jonathan Alter. Simon & Schuster, 432 pages, \$29.95

THE STANDARD FRAMEWORK FOR explaining American politics—a struggle between liberals and conservatives—is of limited utility. American politics in our age is better described as the struggle between those who revere Franklin Roosevelt and those who revere Ronald Reagan. Nancy Pelosi, for example, says that just three words refute the charge that today's Democrats are out of ideas. It's telling that she sees nothing odd about the fact that those three words—"Franklin Delano Roosevelt"—name a president who died 61 years ago, before 80% of the Americans now alive were born.

It is easier to see what is compelling and contentious about our politics by looking to FDR and Reagan than by examining abstract ideologies. The two men's uncanny similarities are almost as interesting as their differences. Reagan cast his first four presidential ballots for FDR. His experience, as a citizen, of Roosevelt's hold on the nation's imagination, combined with his own career as a Hollywood star and union leader, persuaded Reagan of the connection between stagecraft and statecraft.

Both Roosevelt and Reagan were routinely dismissed as lightweights. Both survived assassination attempts in the months after their elections. Both came to office confronting economic problems so severe that many Americans had given up hope for a more prosperous future. Both faced implacable tyrannies abroad; both confronted elite and popular opinion that called it madness not to seek some kind of accommodation with those tyrannies; both steered the nation on a course that culminated in the collapse of the totalitarian governments that threatened us.

Both FDR and Reagan transformed the political terrain. Each man's vice president won the next presidential election—owing largely to his predecessor's popularity. Their political influence, however, was demonstrated in the subsequent elections. The nominees of the other party, Dwight Eisenhower and Bill Clinton, won them, only to spend eight years constrained by, respectively, Roosevelt's and Reagan's achievements. The Republican president and Congress elected in 1952, the first such confluence of GOP power in 20 years, quickly abandoned any serious attempt to scale back the New Deal. "Should any political party attempt to abolish social security, unemployment insurance, and eliminate labor laws and farm programs, you

would not hear of that party again in our political history," Eisenhower wrote in 1954.

Thirty-nine years later, President Clinton complained that his initiatives in education, health care, and the environment were being strangled by political and fiscal realities. "I hope you're all aware we're all Eisenhower Republicans now," he told his Cabinet in 1993. "We stand for lower deficits and free trade and the bond market." The biggest legislative achievements of his presidency, the North American Free Trade Agreement and abolition of Aid to Families with Dependent Children, were trophies that would look more at home on Reagan's wall than Clinton's own.

ANOTHER MEASURE OF REAGAN'S achievement is the shadow he casts on the more distant past, and the way that shadow falls on FDR. Jonathan Alter's *The Defining Moment: FDR's Hundred Days of Triumph and Hope*, is a book praising Roosevelt. In the aftermath of Reagan's presidency, however, praising FDR is a more complicated task than it used to be. Alter, for example, says that the libertarian author Jim Powell makes a "good case" that Roosevelt "never figured out how to stimulate business with a strategy of incentives for growth." Alter speculates: "Had war not broken out in Europe late in 1939, Roosevelt would have left office in early 1941 having reduced unemployment from a quarter to a fifth of the workforce—and would likely have been viewed by historians as a far less significant figure."

Frank Freidel, Arthur M. Schlesinger, Jr., or William Leuchtenburg would never have conceded a fraction of this ground. In the two decades following FDR's death, these historians tried to make the great man's legacy revision-proof. All three viewed FDR's political adversaries as America's enemies. In particular, all three explained the Depression as a crisis of capitalism brought on by the greed and corruption of capitalists.

This opinion cannot safely be called Roosevelt's own settled view—no one opinion can—but it was a viewpoint FDR expressed frequently and emphatically. In his acceptance speech to the 1936 Democratic convention, he spoke of "economic royalists" and "privileged princes" of "economic dynasties" who had "created a new despotism." In that campaign's final speech Roosevelt said, "I should like to have it said of my first Administration that in it the

forces of selfishness and of lust for power met their match. I should like to have it said of my second Administration that in it these forces met their master."

Frank Freidel's four-volume history on the rise of FDR endorses this view, blaming the Depression on the "selfishness and hostility of a large part of big business." In *The Age of Roosevelt* (1957-1960), Schlesinger's villains are the laissez-faire Republicans who saw "all problems from the standpoint of business." William Leuchtenburg's verdict in *Franklin D. Roosevelt and the New Deal, 1932-1940* (1963) is the same: "Monopoly and oligopoly were not the exception but the rule.... [The] two thousand men who controlled American economic life manipulated prices and production." Alter nowhere buys into such flat-earth economics.

THE SIGNIFICANT DISTANCE BETWEEN Alter, a senior editor at *Newsweek*, and these earlier historians is clear on the question of international economics. Cordell Hull, FDR's Secretary of State, called his president's determination to lower tariffs only after establishing a sound national economy a "half-insane policy of economic isolation...the largest single underlying cause of the present panic." Alter not only believes that Hull was "almost certainly right" in his judgment, but blames FDR for not caring much about free trade or seeing its relation to economic recovery. For Freidel, Schlesinger, and Leuchtenburg, by contrast, FDR's "economic nationalism" is a defensible policy, or at least a defensible mistake necessitated by political realities.

Alter's skepticism extends to economic policy more broadly. "[T]he central conceptual flaw of the New Deal," he writes, was that "the Roosevelt Administration offered no growth agenda besides public works. Policies were implemented without regard for their impact on productivity." Not even FDR's most strenuous defenders, of course, contend that he thought rigorously about economics. In *The End of Reform* (1995), Alan Brinkley says the New Dealers believed that "the nation's greatest problems were rooted in the structure of modern industrial capitalism and that it was the mission of government to deal somehow with the flaws in that structure." Beyond a commitment to experimenting vigorously, however, the New Deal never sorted out that nagging "somehow" part.

One important difference between Roosevelt and Reagan is that the economic theory that made sense of Roosevelt's policies, namely Keynesianism, wasn't really embraced by Democrats until after the New Deal. Brinkley says that by the end of World War II liberals had come to understand their agenda "less as a commitment to restructure the economy than as an effort to stabilize it and help it grow." This commitment quickly became dogma. An exuberant article in the *New Republic* in 1961 called for spending "as much government money as possible, and [making] sure that the amount the government spends rises rapidly each year.... [A] very high level of government spending, no matter where the money goes, assures a very high level of demand. And a high level of demand is the open sesame to everything else."

Keynesian theory called for regulating aggregate demand through counter-cyclical government spending, stimulating the economy when it was sluggish and restraining it when it was too vigorous. As the *New Republic* article reveals, however, there was a strong bias favoring the fun side of this cycle over the demanding side. The discipline of economics was originally known as political economy for a reason—all the political incentives favor refilling the punch bowl, not taking it away. Keynesianism in practice was not a cycle but a ratchet, moving easily in one direction but rarely and with difficulty in the other.

The bias toward overstimulation became clear by the 1970s, when the asymmetry of fiscal policy caused rising inflation. This was not the only difficulty in putting Keynesian theory into practice. Counter-cyclical spending is about timing. By the time Congress perceives an economic downturn, votes for higher spending, and actually begins getting the money out the door, the business cycle has moved on. The time lag means the government is often accentuating the business cycle rather than moderating it, stimulating a recovering economy rather than a stagnant one. Furthermore, economic decisions came to be made in the expectation of government stimulus, which meant that, like a narcotic, larger doses of government spending began producing smaller effects.

WHEN HE CAME TO THE WHITE House, inheriting an economy that was both stagnant and inflationary, Ronald Reagan was conversant with and committed to the monetarist and supply-side economic theories that would guide his economic policy. Both theories had subtle and elaborate explanations, but simple essences. Monetarism insisted that if the supply of money grows faster



"On the Fire," a cartoon by Munhall published in the *Lynn Item*, 1933.

than the amount of real wealth, the real value of the money will decline steadily through inflation. Supply-side economics holds that: 1) government tax revenues equal the tax rate multiplied by the tax base; 2) a lower tax rate applied to a larger tax base will be revenue-neutral; and 3) the tax base is not an independent variable but one that can increase if the tax and regulatory burden on the economy is alleviated.

Whether because monetarism and supply-side economics are sound theories, or because following any theory that isn't crazy is better than furious improvisation, Reagan had better success against the economic problems of the 1980s than Roosevelt did against those of the 1930s. "[T]he New Deal did not end the Depression," Alter concludes. The facts could hardly permit a contrary assessment. The downturn that began in 1937 was the only time in U.S. history that one recession followed another in such short order. Unemployment rose, productivity and the stock market fell. FDR blamed the downturn on a "capital strike" by businessmen trying to destroy the New Deal, even ordering a futile FBI investigation of possible criminal conspiracy by the "strikers."

Economic health was restored only by the massive spending required by World War II—federal spending exceeded 40% of the GNP from 1943 through 1945. The economic boom that came after 1945 also, in a way, owed a great deal to the war. As the only modern nation whose industrial infrastructure was unscathed in the war, the U.S. held unprecedented and durable advantages. By

1950 America had 7% of the globe's population but was producing 43% of all the electricity in the world, 57% of the steel, and 80% of the automobiles.

DESPITE HIS CLEAR-EYED assessment of the economic record, Alter still praises Roosevelt. One reason is the psychological impact of FDR's leadership on an anguished nation. FDR radiated confidence at a time when it was in desperately short supply. Though FDR often did not know what he was doing, Alter credits FDR for convincing people he *did*—and that reassurance made all the difference. His fireside chat on the banking crisis, his soaring First Inaugural, and his survival of an assassination attempt in Miami cultivated a heroic image, self-assured and optimistic. "The secret of his political genius," wrote Saul Bellow, "was that he knew exactly what people needed to hear, a personal declaration by the president that took into account the feelings of the people."

What's more, FDR used revolutionary rhetoric instead of revolutionary policies to voice "anger and resentment," Alter writes, "without destroying the system. He believed tongue-lashing the money changers was sufficient, without actually driving them out." This argument fits the view that FDR saved capitalism: in a nation where the alternatives were Huey Long and Father Coughlin, and a world where the alternatives were Hitler and Stalin, the New Deal did much less harm than it might have.

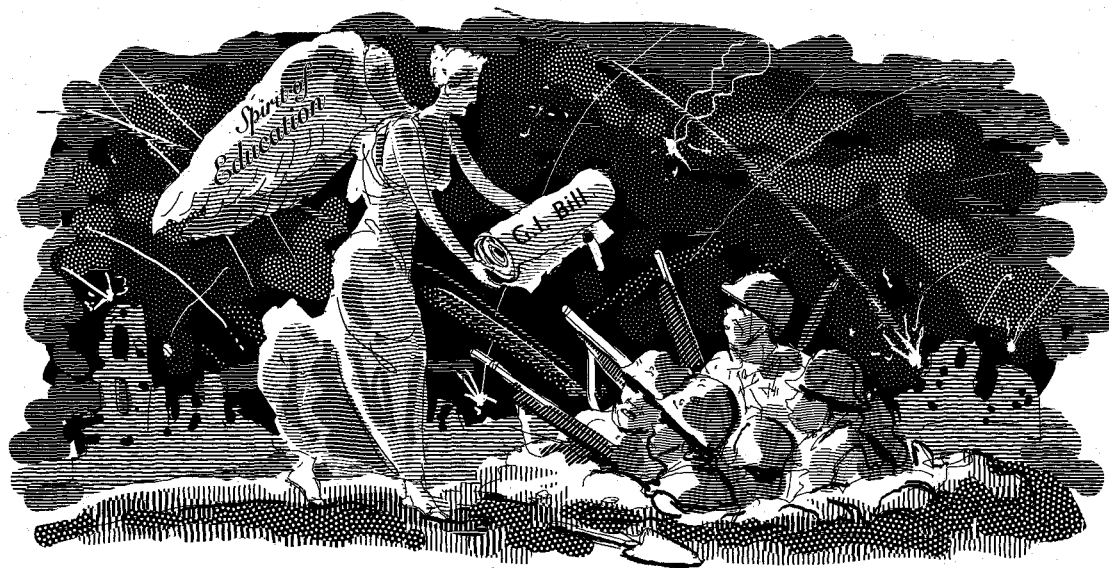
Alter praises FDR for rewriting America's social contract. Had the New Deal been an economic success, quickly restoring the prosperity of the 1920s, the political demand for an American welfare state might well have been as tepid as before the crash of 1929. The persistence of the Depression, however, legitimized the idea that destitution is a result of social dysfunction, not individual improvidence. Public programs for the aged and unemployed were the logical consequence, both politically and governmentally. Ronald Reagan used his own rhetorical gifts to modify FDR's social contract, but never attempted to revoke it. The great virtue of Alter's book is that it defends FDR on narrower, more defensible grounds in light of subsequent evidence of FDR's failure to promote economic growth. One of the great questions that will shape our politics in subsequent generations is whether the next generation's Jonathan Alter will have to narrow the grounds of FDR's greatness even further.

Scott Xenor is associate professor of political science at Boise State University. He is currently writing a book on the family in modern political thought.

Book Review by Thomas A. Bruscino, Jr.

NO SOLDIER LEFT BEHIND

Soldiers to Citizens: The G.I. Bill and the Making of the Greatest Generation,
by Suzanne Mettler. Oxford University Press, 280 pages, \$30



IT IS NO EXAGGERATION TO SAY THAT THE G.I. Bill of Rights was the most successful social welfare program in American history. By 1956, under the G.I. Bill, the U.S. government had spent nearly \$15 billion providing unemployment, education, training, and home loan benefits to more than half the 16 million veterans of World War II. Countless veterans recalled fondly how the bill gave them the chance to buy their first home, or to attend college or vocational school. The bill helped shape postwar America, and its effects are still being felt. Yes, the Servicemen's Readjustment Act—the G.I. Bill's formal name—constitutes a great American success story. The question is why.

For all the bill's importance, historians have written relatively little about it. A few specialized books and articles are very good, but they do not supply a comprehensive history. There is thus reason to welcome the publication of Suzanne Mettler's *Soldiers to Citizens: The G.I. Bill and the Making of the Greatest Generation*, and there is much to commend in her scholarship.

Soldiers to Citizens draws on a wide variety of literature, archival research, her own survey of over 1,800 surviving World War II veterans, and in-depth follow-up interviews with 28 of the survey participants. Mettler, a Syracuse University associate professor of political science, summarizes the origins and passage of the bill, noting the key role of veterans' groups as advocates of the 1944 law. Her discussion of the

college benefits is solid, and she contributes new information on the thousands of trade school programs used by the vets, and on how African-Americans benefited from the bill.

Likewise, her work on the bill's effects is useful. She demonstrates that those who took advantage of the bill tended to attain higher levels of socioeconomic success in their lives. In turn, these beneficiaries became more engaged in civic organizations of all sorts, and became leaders throughout American society. Mettler shows that African-American recipients, who faced serious problems of discrimination, used their education benefits as a springboard into the postwar civil rights movement.

All of this has the makings of the most solid, wide-ranging history of the G.I. Bill to date. But a closer look reveals that *Soldiers to Citizens* isn't really a book about the G.I. Bill so much as a brief for welfare-state liberalism.

SOLDIERS TO CITIZENS IS METTLER'S attempt to use the G.I. Bill to marry the defense of big government with a call for a more active citizenship. Here is her logic: the bill offered benefits to a large and diverse portion of the male population. The distribution system was well-managed and efficient; and because the recipients had little trouble taking advantage of the benefits, they learned that government was a good thing. "This," she writes, "suggests that the way in which government

implements social programs can have a direct effect on the kind of citizens it produces."

According to Mettler, the G.I. Bill produced citizens who had a greater respect for government and their role as citizens. They made more money, joined organizations, and participated in government. Not only that, but many got a college education, which "appeared to have prompted students toward political liberalism and away from political conservatism." When they went into government their policies reflected this liberal conversion, and "the major social policy achievements on the national level from the later 1950s through the early 1970s—such as aid for higher education and K-12 education, Medicare and Medicaid, and the War on Poverty—epitomized that spirit."

Then the golden era came to a sudden end. The 1970s saw an economic downturn and the rise of conservatism. Civic and political participation declined, and economic inequality returned. Until then, the G.I. Bill had been the answer to all questions, and the solution to all problems—well, nearly all problems. Women were left out, and as a result they did not become as engaged in civic groups as men. For Mettler, the great tragedy was that big government's golden age largely excluded blacks and women. Then, just as women and blacks began to gain equal rights under the law, Americans turned against government's redistributive designs. And America has suffered ever since.

THE LARGE FLAW IN HER ARGUMENT arises from her misinterpretation of this salient distinction: although only half of all World War II veterans took advantage of the G.I. Bill's education benefits, all of its recipients were military veterans.

It might come as a surprise that President Franklin Roosevelt initially opposed such "special benefits" for veterans. What he preferred was a broader need-based social welfare program along New Deal lines, based on the assumption that veterans who needed help would get it along with everyone else. But the American Legion and other advocates drummed up enough support so that FDR eventually acquiesced. As a result, the G.I. Bill became a singular New Deal welfare program—the only one predicated on merit, not need. Mettler notes that its beneficiaries expressed sincere gratitude for the bill and never dreamed of insisting that they were entitled to its benefits. They had, however, earned them, and they knew it. And how they had earned the benefits made all the difference in how they incorporated them into their postwar lives. It is here that Mettler's story falls apart.

For example, an essential starting point to her argument is that the G.I. Bill represented a big-government program that was perceived by the recipients as run fairly and efficiently. Leaving

aside the unlikelihood that the recipients ever spent any time thinking about the mechanics of the distribution system, let alone what that system said about the efficacy of government social programs, there is the issue of who was doing the perceiving. It seems improbable that university students at any other time, even recipients of a free education, would be lauding a system that led to such overcrowding that they were forced to spend their college years sleeping barracks-style in temporary Quonset huts set up in the parking lot of the state university. But these recipients were not average university students; they were veterans used to spartan conditions, who brought a soldier's sense of maturity and responsibility to every aspect of their lives.

Hence veterans led the way in joining civic organizations, and these organizations in truth helped foster greater political participation. But the evidence that veterans joined because of the G.I. Bill is scarce. Indeed, the leading organizations that most former troops joined were for veterans, e.g., the American Legion, Veterans of Foreign Wars, AMVETS, and Disabled American Veterans. They joined because they missed the camaraderie of military service or because they wanted to have a political voice as veterans, not as recipients of the G.I. Bill.

Veterans, with money saved from the war and with access to G.I. Bill and other loans played a key role in suburbanization and suburban civic groups. But because Mettler's survey results show little difference in suburban homeowner rates between G.I. Bill users and non-users, she glosses over the important subject in a page and a half. Nor does she mention that none of the three presidents in her postwar golden era—Kennedy, Johnson, and Nixon—took advantage of the G.I. Bill.

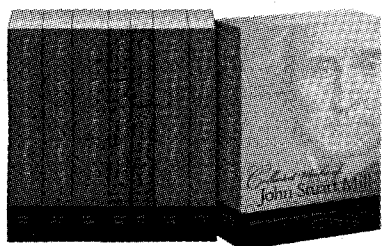
All the postwar trends Mettler describes among G.I. Bill recipients, from greater occupational flexibility and higher incomes to increased civic and political participation, were true to one degree or another for all World War II veterans. But she does not compare veterans with non-veterans, because that comparison would reveal the larger truth about the G.I. Bill. As important as it was, it did not produce better citizens. It was merely a tool by which some veterans applied more easily the lessons of citizenship they had learned during their military service in World War II. What mattered most, however, was not the G.I. Bill, but the military service.

THE SAD THING IS THAT METTLER knows all this. Sprinkled throughout the book are admissions that "veterans' responses to the G.I. Bill would be tempered by how they experienced their time in the armed forces"; that 95% of the respondents to her survey called military service a turning point in their life and a strong plurality called it the most important turning point; and that "though I asked only a few questions about military service, veterans often volunteered much more information about that time in their lives." She admits in her preface, "I began to realize how essential it was to understand this part of their stories, which constituted the very basis through which they had become seen as deserving of and eligible for the G.I. Bill." Although she writes a short chapter on military service, in the rest of her book she ignores the overwhelming importance of that service.

The problem with *Soldiers to Citizens* is that the historical evidence does not match the author's ideological predilections. It is clear, even from this flawed book, that nothing taught citizenship quite so well as serving in the World War II military. But looking for proof that big-government social programs can make good citizens, Mettler found exactly that—and along the way sacrificed a good history upon the altar of advocacy.

Thomas A. Bruscino, Jr., is a historian at the U.S. Army Combat Studies Institute.

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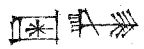
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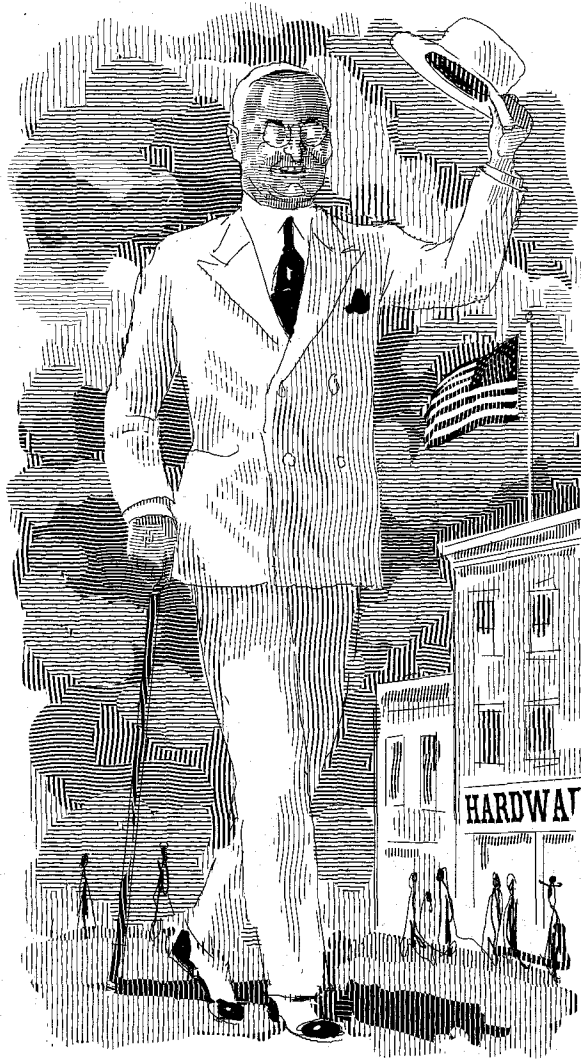
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Book Review by Joseph M. Knippenberg

THE BUCK STOPPED HERE

The First Cold Warrior: Harry Truman, Containment, and the Remaking of Liberal Internationalism,
by Elizabeth Edwards Spalding. University Press of Kentucky, 335 pages, \$40



WE ARE, IT SEEMS, IN THE MIDST OF a Truman revival. On the Left, the *New Republic's* Peter Beinart has tirelessly argued that "Give 'Em Hell Harry" offers a model of domestic reform and energetic multilateralism that will enable the U.S. to project its power for good all over the world. President Bush has likewise been unable to resist the suggestive parallels between Truman's time and our own. Earlier this year, in his commencement address at West Point, the president embraced Truman's legacy in a variety of ways, concluding:

By the actions he took, the institutions he built, the alliances he forged, and the doctrines he set down, President Truman laid the foundations for America's victory in the Cold War. As President Truman

put it towards the end of his presidency, "When history says that my term of office saw the beginning of the Cold War, it will also say that in those eight years we set the course that can win it." His leadership paved the way for subsequent presidents from both political parties—men like Eisenhower and Kennedy and Reagan—to confront and eventually defeat the Soviet threat.

Today, at the start of a new century, we are again engaged in a war unlike any our nation has fought before—and like Americans in Truman's day, we are laying the foundations for victory.

What good fortune, then, that we have Elizabeth Edwards Spalding's *The First Cold Warrior*, a sympathetic reconstruction of the

geopolitical, historical, religious, moral, and philosophical foundations of Truman's approach to the early years of the Cold War. To be sure, Spalding's principal interlocutors are not our contemporaries who attempt to appropriate Truman for their own ends, but the scholars who purport to assess his historical significance. Nonetheless, her work is not merely antiquarian. By resuscitating Truman's "mere Christian," historically informed common sense, and situating it over against the liberal internationalisms of his Democratic predecessors (Wilson and Roosevelt), as well as against the "realism" of George Kennan, Spalding offers a powerful example of how prudently to derive, articulate, and pursue principled political ends. Even if we can't mechanically transpose Truman's policies and practices to our time, we can profit from considering his statecraft.

THIS IS AN EXEMPLARY WORK OF political history and analysis. Spalding immerses us in the inner workings of the Truman Administration, focusing not so much on the bureaucratic infighting and clash of personalities as on the analyses, ideas, and arguments offered by the principal figures, all of whom are given ample opportunity to speak for themselves. The documents everyone knows—like Kennan's "long telegram" and "Sources of Soviet Conduct"—are juxtaposed against lesser-known efforts like Clark Clifford's massive 1946 memorandum, which Spalding persuasively argues "served as the theoretical basis of containment." Furthermore, like her subject, Spalding appreciates the importance of speeches: she takes seriously what Truman says, not as "mere" rhetoric, but as evidence of how he understands his country's circumstances, options, principles, and goals. Statesmanship in a democratic republic requires this sort of transparency. It must offer persuasive explanations to a domestic audience as well as appeals to a "candid world."

In this way, Truman above all compares favorably to George Kennan, usually regarded as the chief intellectual architect of containment. But in Spalding's depiction, he emerges as a figure marginalized by his disdain for "ordinary" political leaders and his failure to embrace Truman's distinction between liberal democracy and totalitarianism. The problem is not, as others might have it, that Truman's simple-minded, moralistic anti-Communism departed from the more nuanced approach favored by Kennan, but rather that the latter didn't grasp the role of principle in democratic republican statesmanship. In the end, Kennan's approach to diplomacy was unpolitical, descending beneath politics to "deep" psychological factors and rising above politics to the elite management of clashing interests.

By contrast, the hallmark of Truman's statesmanship was a straightforward appreciation of the importance of regimes, and of the distinction between freedom and totalitarianism. He understood the threat posed by a tyrannical, universalistic ideology and the importance of marshalling a variety of forces—political, economic, cultural, and military—to resist its spread. While he might have longed for a perpetual peace guaranteed by an international organization, he recognized that in the world as it was, and with human beings as they were (and would always be), peace and justice depended upon the collective power of free nations, led by the U.S., the one nation capable of serving as a bulwark against the totalitarian threat.

One of the great strengths of Spalding's book is her careful and admiring account of how

Truman's education informed his approach to world politics. He was an assiduous and lifelong student of history, returning to the same books over and over again. From his reading of authors like Plutarch, Marcus Aurelius, and Gibbon, as well as of popular 19th-century biographies, he concluded that (in Spalding's words) "studying the lives of great men, and imitating the finest in them, was essential, particularly for those who aimed to be public servants." Unlike those who focused on blind material and psychological forces, Truman recognized the role that courageous, principled individuals could play on the world stage. He recognized, further, that such men had a responsibility, from which they could not shrink, to play that role. Truman's study of history also informed his understanding of geopolitics. Unlike his advisors, who focused on Europe, he "grasped [the] collective historical role [of Greece, Turkey, and Iran] as the dividing line between East and West," a recognition that was crucial to the formation of the Truman Doctrine and in U.S. efforts to push back Soviet initiatives in Iran.

OF COURSE, NO ACCOUNT OF TRUMAN'S education and character would be complete without considering the Bible, prayer, and "mere Christianity." He was "a man of deep, if simple, faith," writes Spalding, "who depended only a little on formal religion but prayed daily." He focused on what he took to be the moral core of Christianity—epitomized in the Sermon on the Mount and the Ten Commandments—which he insisted could be shared by all the world's religions. In his view, the Golden Rule ("do as you'd be done by") was universally taught and could be universally appreciated. His practical faith had at least two important effects on his statecraft. In the first place, he appreciated the role that the world's religions could play in resisting the spread of Communism, and sought to mobilize them as part of a grand coalition "to win the world back to peace and Christianity." The Cold War was not, in his view, merely a struggle over power and spheres of influence, but a fight on behalf of an honorable moral view of the world. Freedom was, in Truman's view (as well as in Bush's), a gift and a burden, for we are responsible to our Maker both for how we use it and how we protect it.

The other religious element of Truman's statecraft came to the fore in his recognition of the limits of human power. As Spalding puts it, "[O]nly God could effect the peace that Truman longed for. In the meantime, for the individual, it meant constant humility and the seeking of grace." Human power could certainly be used for good or for ill, but it could not

fundamentally transform a fallen world. While there might come a time when swords could be beaten into plowshares, his own time called for plowshares to be beaten into swords.

Spalding tells us of Truman's daily prayer, worth repeating for its humble reliance on God's assistance:

Oh [sic], Almighty and Everlasting God, Creator of heaven and earth and the universe: Help me to be, to think, to act what is right, because it is right: Make me truthful, honest, and honorable in all things: Make me intellectually honest for the sake of right and honor and without thought of reward to me. Give me the ability to be charitable, forgiving, and patient with my fellow men—Help me to understand their motives and their shortcomings—even as thou understandest mine: Amen.

This prayer powerfully expresses a combination of moral fortitude and humility: we must act for the sake of what is right, but without preening and without the conviction that our power comes from us alone.

Thus, as Spalding ably shows, Harry Truman is an instructive figure for our time. He recognized what we now speak of as the "universal call" of freedom and acknowledged the responsibility of those with (limited human) power to answer it. He saw that those who have the resources must lead, crafting arrangements and institutions from the imperfect materials at hand. And he understood that all we can do might still not be good enough, but that this affords us no excuse to evade our responsibilities. Truman's legacy of liberal internationalism is embedded not so much in the institutions he and his fellows created or in the particular policies they pursued, but in the recognition of the universal moral law in accordance with which all human beings are ultimately to be judged. There is, if you will, a "global test," but it is not administered by elite opinion, but rather by the Judge of us all. Absent that humble recognition, it is impossible to distinguish between genuinely universal human freedom and an ultimately soulless global despotism. We owe Elizabeth Edwards Spalding a debt of gratitude for shedding important new light on the Truman Administration and on the character of its central figure.

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Book Review by Christopher Levenick

LIKE A MIGHTY WIND

Our Endangered Values: America's Moral Crisis, by Jimmy Carter.
Simon & Schuster, 224 pages, \$25 (cloth), \$15 (paper)

The Left Hand of God: Taking Back Our Country from the Religious Right,
by Michael Lerner. HarperSanFrancisco, 416 pages, \$24.95

Why the Christian Right Is Wrong: A Minister's Manifesto for Taking Back Your Faith, Your Flag, Your Future,
by Robin Meyers. Jossey-Bass, 224 pages, \$22.95

The Hijacking of Jesus: How the Religious Right Distorts Christianity and Promotes Prejudice and Hate,
by Dan Wakefield. Nation Books, 252 pages, \$23.95

God's Politics: Why the Right Gets It Wrong and the Left Doesn't Get It,
by Jim Wallis. HarperSanFrancisco, 384 pages, \$25.95

FEAR OF THE LORD, THE GOOD BOOK assures us, is the beginning of wisdom. And on the American Left faint murmurs of wisdom are indeed sounding, most notably in attempts since the 2004 elections to reconcile practicing believers with progressive politics. To that end, a number of latter-day evangelists have taken to preaching the gospel of a born-again Religious Left. Their efforts have borne fruit in several new books, including Jimmy Carter's *Our Endangered Values*, Michael Lerner's *The Left Hand of God*, Robin Meyers's *Why the Christian Right is Wrong*, Dan Wakefield's *The Hijacking of Jesus*, and Jim Wallis's *God's Politics*.

The authors hail from disparate backgrounds. Jimmy Carter is a former president whose humanitarian efforts since leaving office have been highly regarded, not least by himself. Michael Lerner, the inspiration behind Hillary Clinton's "politics of meaning," is a rabbi at Berkeley's Beyt Tikkun Synagogue, as well as the editor of the leftist journal *Tikkun*. Robin Meyers teaches rhetoric at Oklahoma City University while ministering to a congregation in the United Church of Christ. Dan Wakefield has worked as a professor, journalist, novelist, and screenwriter. Jim Wallis, a mellowing one-time radical, is the founding editor of *Sojourners* and a leader in the effort to create a national network of Christian center-leftists.

Despite the differences, however, these authors have much in common. Each has experience in print and broadcast journalism, and several regularly contribute to the country's most influential periodicals. Lerner, Meyers, and Wallis are active ministers; Carter has been a missionary and continues to teach Sunday School. All of them have taught within the academy. Three of the five are familiar names in the highest ech-

elons of Washington politics. Altogether, they have published over 50 volumes. For all their work in the world of words, however, these authors are uniformly terrible writers, with prose that ranges from tedious to tendentious. But they are united by more than the mere absence of style. Their projects draw upon a common set of assumptions, employ similar methods, and arrive at the same conclusions.

Theologians ground their systems in some specific aspect of divine revelation. Thomas Aquinas centered the *Summa* on the perfection of nature by grace; Calvin based his *Institutes* on the doctrine of the absolute sovereignty of God. For their part, these representatives of the new Religious Left adopt three different points of departure.

Carter, Meyers, and Wakefield offer a deeply problematic ethic that accounts for evil through its total externalization. Sin, these authors suggest, exists because of the Religious Right. Meyers regards his opponents as "Christian fascists" who "peddle a theology of hatred, condemnation, and cruelty." Wakefield considers them "the new Taliban of America," which renounces the Beatitudes and "twist[s] the basic message of Christianity from love to hate." Carter keeps a more genteel tone but levels equally egregious charges. American fundamentalism, he writes, is characterized by "rigidity, domination, and exclusion." Along with neoconservatism, fundamentalism is responsible for "the deep and increasingly disturbing divisions among our own people." These authors know themselves to be righteous; their opponents, therefore, must be unrighteous. These books evince little charity, less contrition, and no sense whatsoever that their authors, too, stand in need of divine forgiveness. No doubt each liberal would counter that the Religious Right displays similar, or

worse, tendencies toward Manichaeism. Even if true, this response is theologically irrelevant. To identify oneself with light and one's adversaries with darkness is to exhibit that pride which ever goeth before a fall.

WALLIS BEGINS FROM A DIFFERENT perspective, heralding instead the charism of prophecy. Prophecy in this sense does not mean divining the future so much as bringing the words of Isaiah, Amos, and Micah to bear on the present. A prophetic politics would, Wallis claims, "offer genuine political vision that arises out of biblical passages from the prophetic texts." It would concentrate on "fundamental moral issues like children, diversity, family, community, citizenship, and ethics," taking little note of conventional partisan categories, thirsting instead for a more perfect political order.

Wallis's plea for a prophetic politics unfortunately disregards the profound tensions within the prophetic tradition itself. Biblical prophecy is episodic rather than continuous; the scriptures balance the great prophetic books with the wisdom literature of Job, Proverbs, and Ecclesiastes. Salvation history sometimes requires passion and sometimes prudence. Indeed, a greater regard for prudence might have led Wallis to consider the difficulty of distinguishing between true and false prophecy. He shows little concern for the Evangelists' repeated admonitions that false prophets shall rise and deceive many.

Lerner bases his argument on a theological proposition. He contends that mankind can best understand God through the metaphor of two hands. The Right Hand of God is vengeful, militaristic, and punishing; it inspires fear in His disciples, who seek to please the Almighty through precise doctrine and virtuous behav-

ior. The Left Hand of God, however, is loving, forgiving, and healing; it fills disciples with a yearning for kindness, humility, and peace. Lerner argues that both models are consistent with Jewish and Christian orthodoxy, but he fears the ascendancy of those who worship the Right Hand. If American liberalism ever hopes to flourish, he writes, it will need to incorporate a spiritual understanding of the Left Hand.

This proposition raises as many questions as it answers. For one thing, the neat symmetry of the left-right dichotomy masks the deep complexity of American religion. "Left-Handed" evangelicals like Rick Warren generally lean conservative; "Right-Handed" African-American Protestants are overwhelmingly liberal. Worse, Lerner uses his own metaphor improperly. Though the image of two hands suggests a certain shared purpose and mutual compatibility, Lerner depicts one hand as su-

perior to the other. "The Right Hand of God," he writes, represents those "who have not yet become healthy and are therefore filled with an irrational fear." In contrast, the Left Hand "represents the healthy, hope-filled position of human beings."

Theological assumptions inevitably have implications for theological method. Lerner, for example, starts with a description of the nature of God, but, crucially, his account does not derive from any particular faith. He hopes his readership will include "secular, religious, and 'spiritual but not religious' people." This broad audience requires a variety of sources, and Lerner obliges by invoking the Torah, the gospels, Buddhism, Gandhi, and modern psychotherapy. What he ultimately offers is theology divorced from religion, a creed without a cult, in which faith is a human creation rather than a divine revelation.

The other authors generally avoid Lerner's syncretistic approach in favor of simple proof-text methods. Parenthetical scriptural references follow sweeping political statements with scant regard for relevance or context. Thus Meyers finds in Matthew 25:36 ("I was sick, and ye visited me") a straightforward biblical mandate for universal health care. Wallis turns to John 8:32 ("Ye shall know the truth, and the truth shall make you free") to discern whether the invasion of Iraq violates the specific command of Christ. This naïve literalism makes the Religious Left sound precisely like the fundamentalists they deplore.

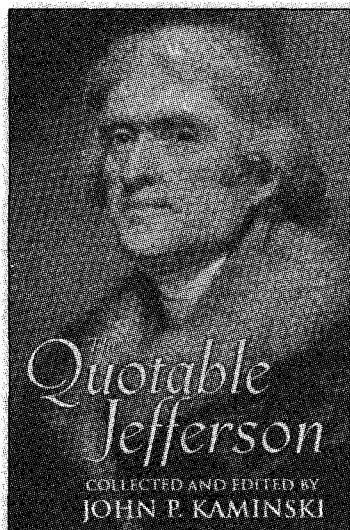
Both syncretistic and fundamentalist methods betray a common tendency, a fine illustration of which can be found in *Our Endangered Values*. Carter's argument consists of three basic components. He begins with a brief exposition of his "traditional Christian faith," then offers a lengthy disquisition on his preferred political policies, and concludes that disagreement with these prescriptions amounts to "a direct attack on American moral values, either in the political or the religious realm of life." The logic conforms to a relatively straightforward syllogism: God demands justice; this policy is just; therefore God demands this policy. Carter says little of the quality of competing claims to justice, the character of the justice in question, or of the compromises inevitable within democratic politics.

Rather tellingly, he and the other authors focus far less on personal moral behavior than on collective political action. Social policy eclipses individual conduct as the locus of Christian ethics. The inadvertent but inevitable consequence is the collapse of religion into politics. This conflation of the personal and the political helps explain why the Religious Left is, other things being equal, more political than the Religious Right.

A COMMON SET OF ASSUMPTIONS AND methods lends itself to a shared body of conclusions. Although these five authors concern themselves with political matters great and small, three issues seem central to the new Religious Left's agenda: poverty, environmentalism, and peace.

The Bible pulses with concern for the poor, and all of these books demand that Americans take greater heed of this clear scriptural imperative. Because of "God's compassion for the poor and victimized," writes Carter, "[i]t is clear that proper treatment of the poor should be an extremely high priority among those who shape American policies." Outraged by the tragedy of persistent global poverty, all five authors call upon their government and fellow citizens to help alleviate the plight of the impoverished everywhere. But charity begins

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at home, and the Religious Left is equally incensed at the national scandal of want amidst plenty. America's economic priorities strike them as terribly misbegotten. Meyers complains that the Bush Administration "came to the aid of those who needed it least while cutting aid for those who needed it most." "Budgets are moral documents," contends Wallis, and "the federal budgets now being passed [are] unbiblical." For Lerner, the rot runs much deeper; free enterprise itself is suspect. "Love of money," he proposes, "needs to be replaced by love of life, love of the earth, love of God, and love of each other at the center of our economic lives."

Lerner's plea for a renewed "love of the earth" points to the second defining issue of the new Religious Left. Carter proclaims that "proper stewardship of God's world is a personal and political moral commitment." Genesis, after all, teaches that mankind enjoys dominion over the earth and all that lives upon it—but it also suggests that this great privilege ought to be paired with a greater responsibility. "There is something sacred about the planet," writes Lerner, which ought to compel believers to "approach it with reverence." He insists that Native American traditions have been, and will continue to be, especially helpful in developing this new spirituality. Meyers agrees, positing that a well-formed environmental conscience will necessitate a "new theology." "Theism," he explains, manifests itself in a "truncated, anthropocentric 'personal savior Christianity,'" which is "as meaningless as it is illogical."

The third issue animating the new Religious Left concerns matters of war and peace. Each of these authors vigorously contests the moral reasoning that led to the American invasion of Iraq. (Concerning the invasion of Afghanistan, they maintain a collective silence; whether that silence indicates agreement or ambivalence is unclear.) Although several of them skirt the issue, none explicitly rejects the just-war tradition; instead, they allege that the Iraq war failed to meet the tradition's *ad bellum* criteria. But the authors have larger ambitions, which stretch towards redefining the very idea of the use of force. In the future, Wallis argues, efforts to battle Islamic terrorism should instead involve "explor[ing] a theology for global police forces." For his part, Lerner proposes "an international peace force of tens of millions of people who will be funded by the countries of the world and whose work will consist in bringing massive numbers of nonviolent people to places on the globe where violence is threatened."

IN TRUTH, THE ENTIRE ENTERPRISE DIFFERS from the standard liberal boilerplate only insofar as it invokes divine sanction. Nonetheless, these books contain elements that should be considered theologically troublesome to all Christians, regardless of their political persuasion.

Take the Religious Left's approach to poverty. To their great credit, these writers are dead serious about feeding the hungry and clothing the naked. Unfortunately, however, they perceive this obligation as primarily and properly the work of government. Carter speaks for the group when he alleges that "[i]n efforts to reach out to the poor, alleviate suffering, provide homes for the homeless...government office-holders and not church members were more likely to assume responsibility and be able to fulfill the benevolent missions." Little acknowledgment is made of the private sector's role in creating affluence, or of the fact that a zealous redistribution of present assets will inhibit the creation of future wealth. Yet these errors of practical economics are of less consequence than the grave theological misapprehension beneath them. The challenge and the burden of almsgiving are and ought to be personal. Christian charity does not consist of petitioning the state to redress economic grievances. Rather, it calls upon the individual believer to comfort the afflicted. An ethic geared primarily toward government undermines the crucial sense of personal responsibility for the least of one's brethren. True charity, like true faith, must be voluntary if it is to be efficacious.

The Religious Left's embrace of environmentalism is likewise theologically troublesome. Conserving the earth's natural majesty is, of course, a worthy calling. But, as in their treatment of poverty, these authors gloss over many practical considerations—for instance, the possibility that material development in poor nations may lead to environmental degradation. Besides, profound theological difficulties lurk within the proposed marriage of environmentalism and Christianity. As Lerner and Meyers illustrate, the environmental conscience can easily segue into pantheism, wherein reverence for the Creator is confused with reverence for creation. More subtly, environmentalism tends to misrepresent man's place within the cosmos, placing him closer to the beasts than the angels. Made in the image and likeness of God, human beings are privileged among the animals; we belong not merely to the circle of life, but at the pinnacle of creation.

With respect to war and peace, the Religious Left does not fare much better. Again, their intentions are admirable; the peacemakers shall be

blessed, after all, and called the children of God. But Christianity has never equated peacemaking with pacifism, for the simple reason that, in this fallen world, the love of neighbor may require using force on that neighbor's behalf. The Christian duty of loving one's neighbor as oneself may well entail forsaking peace in pursuit of justice. Violence is thus not perceived as evil in itself, but acquires its moral significance only in relation to the ends it serves. Though none of these authors explicitly repudiates the axioms of just-war theory, they all attempt to redefine the substance of that tradition. The *ad bellum* criteria have historically centered on deontological considerations, demanding that combat be undertaken by a legitimate authority, for a just cause, with right intent, and towards the restoration of peace. These authors, however, want to shift the focus to more prudential concerns, such as whether the moral benefits outweigh the costs, or whether all non-violent options have yet been pursued. But, crucially, this focus on prudential criteria allows endless room for doubt, debate, and delay. It permits its advocates to act like functional pacifists, admitting the theoretical possibility of a just war, but in practice denying its existence. It relieves these writers of real-world responsibility and gives rise to fanciful illusions of global police and international non-violent forces.

THE NEW RELIGIOUS LEFT APPEARS unlikely to gain many converts, preaching an old-time progressive gospel to an aging choir. Dubious assumptions, unsatisfactory methods, and theologically problematic conclusions render much of the project intellectually inadequate and (speaking for myself) spiritually unfulfilling. Of course, this need not be so. One hopes that a return to tradition will inspire these five authors and other likeminded thinkers to *sentire cum ecclesia*, to think and feel with the church universal, its saints, sages, artists, and martyrs throughout the centuries. Perhaps such reflection will remind them that we are pilgrims more than prophets, that we pass through this City of Man as strangers in a strange land, longing for and ultimately arriving, we pray, in the City of God. And until we achieve that distant Kingdom, we will do best to recognize each other's good intentions, offer one another patient correction, and pray for our mutual betterment, and withal follow the counsel of Micah, to do justice, love mercy, and walk humbly with God.

Christopher Levenick is the W. H. Brady Doctoral Fellow at the American Enterprise Institute and a doctoral candidate at the University of Chicago.

R.I.P.

LEONARD W. LEVY, 1923-2006



THE CLAREMONT REVIEW OF BOOKS mourns the passing of Leonard W. Levy in late August at the age of 83.

As the Andrew Mellon All-Claremont Professor of the Humanities and a recipient of the Pulitzer Prize, Levy was a towering figure at Claremont Graduate School in the 1970s and 1980s. His small seminars and one-on-one tutorials could be compared to military boot camp: they were painful, demanding, terrifying, exhausting—and something that afterward you would never have wanted to miss. His loud, commanding voice, and his complete mastery of the subject, conveyed an air of authority that was never confused with dogmatism. In a Levy course, you weren't just questioned; you were *cross-examined*. It was often not a pretty sight, but it made everyone better thinkers, writers, and scholars. (One of his demands was that students never—ever—write a sentence in the passive voice. Upon being shown a passive sentence of his own, he would roar: "Do as I say! Not as I do!")

Although a New Deal liberal, Levy voted for Ronald Reagan in 1980 (though not in 1984). He was friendly to conservative students because he came to see that his very best students were the conservatives who had come to Claremont to study political philosophy, but who recognized that there was much to learn in his rigorous courses on constitutional history.

Levy was a thorough and scrupulous scholar, following wherever the evidence led him. Willmoore Kendall once wrote approvingly that "Professor Levy's mood is not unlike that of a devoted husband reading aloud a private investigator's report on how his errant wife spends her afternoons." Levy shook up the liberal establishment with *Legacy of Suppression: Freedom of Speech and Press in Early American History* (1960), in which he unearthed in the founding era's thought and practices a restrained understanding of free speech decidedly uncongenial to modern liberals. Levy wrote in the preface to *Legacy*:

This has been a difficult book to write.... [T]he facts have dictated conclusions that violate my predilections and clash with the accepted versions of history. But, my views as a scholar do not depend on my civic convictions nor on historical convention.

The sequel, *Jefferson and Civil Liberties: The Darker Side* (1963), brought to light our third president's own abuse of executive power and shook the firmament of Jeffersonian liberalism. Justice Hugo Black objected to both of these books, writing that *Legacy of Suppression* was "probably one of the most devastating blows that has been delivered against civil liberty in America for a long time."

The *New York Times* wrote of Levy in its obituary notice:

He was also an active participant in Reagan-era debates over a mode of constitutional interpretation known as originalism, popularized by Attorney General Edwin Meese III and Judge Robert H. Bork, whose nomination to the Supreme Court was defeated in 1987. Originalism looks to the text and original understanding of the Constitution as the only sure guide to its meaning. Professor Levy called that approach a disservice to the grand, open-textured phrases in the Constitution, formulations that he said required fresh interpretation by each new generation. "The framers," he wrote, "had a genius for studied imprecision."

But there was much more to the story than that. He could change his mind in the face of new evidence and arguments (he later revised *Legacy of Suppression*) sometimes provided to him by his most dogged students. In the aftermath of *Original Intent and the Framers' Constitution* (1988), his book attacking Bork's view of originalism, Levy revised his arguments to some extent. He became more friendly to the view

that constitutional originalism is not a matter of narrow textual exegesis, but of absorbing, as Lincoln showed, the philosophical understanding of the principles of the American Founding, for which Levy had great respect. Partly this change of heart occurred from his frequent interactions with fellow Claremont professor Harry V. Jaffa down the hall; but it is also apparent from Levy's later writings that he had started reading Leo Strauss.

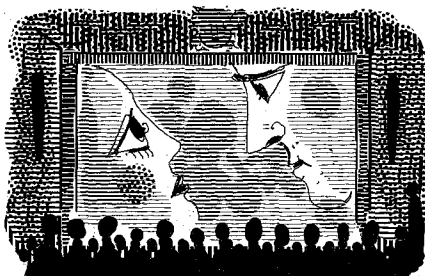
UNLIKE MOST MODERN LIBERALS, LEVY'S civil libertarianism extended crucially to property rights. He deplored the contemporary Supreme Court's jurisprudence of property rights, and wrote a number of articles on the connection between property and economic liberty that the Institute for Justice would find quite congenial. "Property owned by people," he wrote in 1988, "should be accorded the same constitutional respect that courts give to other civil or human rights so essential to the pursuit of happiness." One of his last books, *A License to Steal: The Forfeiture of Property* (1996), is a vigorous attack on the often corrupt practice of civil asset forfeiture. He was undoubtedly dismayed at the Supreme Court's *Kelo v. City of New London* (2005) decision on eminent domain.

Leonard Levy was a historian, not a historicist, and his body of work illustrates the difference between these two approaches to understanding and using the past. The *New York Times* wrote that "Professor Levy had a gloomy side, and he sometimes despaired over whether his mountain of scholarship had had an impact." This is because much of the legal academy today is decidedly historicist in its approach to constitutional history, viewing historical investigation as being in service of today's ideological agenda. As such, Levy's scrupulous approach was an obstacle, and is not emulated. But his work and example will remain a model for thoughtful scholars so long as honesty still exists in the academy, and his many grateful students will never forget him.

—Steven F. Hayward

SHADOW PLAY

by Martha Bayles



Reel Queens

WITHOUT DOUBT, THE MEDIA EVENT of summer 1997 was the death of Lady Diana Spencer, the Princess of Wales. Newly divorced from Prince Charles, Diana was living the do-good, act-bad celebrity life when the limousine of her latest squeeze, Dodi Fayed (the son of the Egyptian-Swiss billionaire, Mohamed Abdel Fayed), crashed in a Paris tunnel while fleeing a pack of motorcycle-mounted paparazzi. Since Diana had appeared on the BBC complaining about how badly the royals had treated her, Queen Elizabeth II was disinclined to make a fuss. Holed up in Balmoral, their retreat in the highlands of Scotland, her majesty and the immediate family did their best to maintain an iron reserve.

As dramatized in the new film *The Queen*, that royal reserve turns out to be an immovable object meeting an irresistible force—a flood of public grief unleashed by Diana's death. Captured on screen by television news footage of swelling crowds and mounting heaps of flowers outside Buckingham Palace, this surge of emotion surprises and discomfits the queen (Helen Mirren). So when the newly elected prime minister, Tony Blair (Michael Sheen), urges her to make a series of gestures aimed at dampening public resentment at her perceived cold-hearted indifference, she resists, then eventually comes around. It's a fascinating tale, full of political resonance, and *The Queen*, written by Peter Morgan and directed by Stephen Frears, tells it superbly.

But kindly ignore the reviews. This is not a film about "a frumpy, emotionally stunted monarch," a "stubborn, blinkered, coddled woman, who can't even grieve like a human being," who reacts to the untimely death of "a pretty, vulnerable young woman" by "clinging obliviously to bygone codes of class and civility." Despite his limitations, the queen's husband, Prince Philip (James Cromwell), is not portrayed (in the words of still other reviews) as a "dim bulb," "whose exclamations are unfailingly snobbish and dull," any more than the Queen Mother

(Sylvia Syms) is depicted as "tipsy," "half-dead," and dispensing advice that "pertains to another era and is of no use." Most of all, the royal family are not shown "cloistered at Balmoral, knitting and nattering in their plain wool sweaters, caring more for their pets than for their children"—so "clueless" about "the cultural shift" in their own country that it takes Blair, a young Labor pol full of "fire and grace," "incorrigibly cheerful and gently manipulative," to "slap the royals awake" and "practically [order] them to get back to London."

After rattling on in this vein for a while, most of the reviewers then dropped the whole shtick and praised the film for somehow tricking them into sympathizing with the queen. Most chalked this up to Mirren's performance (which is extraordinary; the actress, always worth watching, is on a roll lately, winning an Emmy earlier this year for a stunning performance as the first Queen Elizabeth in the HBO series, *Elizabeth I*). But one or two reviewers came close to conceding that maybe, just maybe, the queen had a point. For example, Roger Ebert wrote that "the queen is correct, indeed, by tradition and history in all she says about the affair—but she is sadly aloof from the national mood. Well, maybe queens should be." And David Edelstein of *New York* magazine halted his gleeful royal-bashing to lament "the passing of a more dignified, more orderly world."

The prize for most idiotic review goes to Manohla Dargis of the *New York Times*, who described *The Queen* as "a sublimely nimble evisceration of that cult of celebrity known as the British royal family." The film is exactly the opposite: a subtle and intelligent exploration of the difference between royalty and celebrity. The contest between monarch and prime minister is fascinating precisely because they are both fully aware of the difference. What they disagree on is how best to split it. Just because the queen is surprised by the size of the media circus surrounding Diana's death, that doesn't mean it

is "bewildering" to her, or represents "a shift in values she does not understand." After all, this is the monarch who brought Great Britain into the media age, circling the globe to foster a positive post-colonial image; wearing pastel coats and flowered hats so people (and cameras) could pick her out of large crowds; and pioneering televised appearances such as the annual Christmas address and the "royal walk-around." How could she not have been aware of the superheated celebrity culture of the 1980s and '90s, when several members of her own family (not just Charles and Diana) were its favorite fodder?

Media Scrutiny

THROUGHOUT HER LONG REIGN, ELIZABETH II has refused to be interviewed on camera. But this may be media savvy, not naïveté. Billions would tune in to see her share memories of being doted on by her grandparents, Queen Mary and King George V; of studying modern languages with private tutors; of driving a truck for the Women's Auxiliary Territorial Service during World War II. *Your Majesty, what was it like to grow up third in the line of succession and then, at age 26, be crowned queen of half the world?* But as the queen doubtless suspects, the millions who cried their eyes out over Diana would demand more. For them, nothing would do but a ten-hanky confession, to Barbara Walters if possible, of Elizabeth's deepest feelings about everything from her upbringing by starchy remote parents to her relations (erotic? Oedipal?) with ten prime ministers from Winston to Tony. *Your Majesty, have you ever felt envious of Diana's fantastic wardrobe and thrilling sex life?*

Unthinkable, of course. Most people, even some Di-worshippers, would object to seeing the soiled knickers of this public figure laundered for the entertainment of the great unlaunched. The interesting question is why. It's not strictly a function of power. The most powerful office

on earth, the American presidency, is hardly exempt from pressure to get up close and personal. (Who can forget that 1997 was also the year that Bill Clinton "did not have sexual relations with that woman"?) At the same time, exemption from the smarmier modes of media scrutiny is not given to powerless people, should they be so unlucky (or lucky) to be thrust into its glare. No, the exemption has to do with the nature and origin of one's power. Despite the legacy of English journalist Walter Bagehot, who argued in the 19th century that the British monarchy was just a "bauble" used to pacify the masses, the present queen holds significant power. Some of it belongs to her alone, the product of a half-century's dignified and engaged presence. And some of it is rooted in soil more ancient than any being traded on today's media market.

Film critics should understand this, because their line of work is one of the few that requires occasional reflection on political regimes other than liberal democracy. The typical movie monarch may be a lion, grasshopper, human, monster, or high-IQ insectoid from outer space; it hardly matters, because the plots are invariably driven by the ancient political question of what makes a ruler good or evil, just or unjust. And

of course, there are plenty of small-r republican movies, in which bands of aristocrats, wielding light-swords or briefcases, battle to topple evil tyrants and establish new orders ruled by themselves, the best and brightest. But regrettably, today's critics tend to see every political actor as either an evil fascist Republican or a good progressive Democrat.

Dignity

THAT'S WHY THE REVIEWS MISINTERPRETED the stag. The climactic scene in *The Queen* occurs in the high country near Balmoral, where the queen is alone, driving her vintage Land Rover in search of Philip, who is out hunting a magnificent and elusive 14-point stag. Here the queen is depicted as the embodiment of the British virtues of toughness, self-reliance, preference for rugged nature over coddled luxury, and faith that the wisest counsel is conscience, heard in solitude. But as it happens, she drives too fast into a mountain stream and damages a wheel. She has a cell phone and calls for assistance, but that doesn't alter the significance of the moment, which is that even her majesty cannot always go it alone.

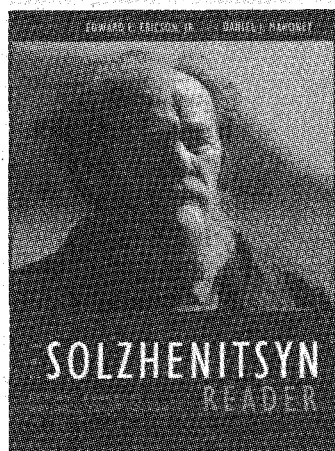
Meditating on this lesson, she climbs onto a rock overlooking the stream, and removing her scarf so the wind can ruffle her hair, settles down to wait. At first she is cool and collected, gazing appreciatively at a landscape she obviously loves. But then she starts to weep.

Wisely, Frears films the weeping queen from the back, so that rather than gape at her red face and runny nose (a movie staple these days), we see only the back of her head and heaving shoulders. Then enters the stag, picking his way across the hillside until the queen sees him and exclaims, "O Beauty!" (You'd better believe there's no "h" after that "O.") A moment later, hearing gunfire and voices, she tells the animal "Shoo!" And watching him retreat without yielding one jot of his dignity, she breaks into a smile. The queen is resolved. Assuming her customary expression of stern benevolence, she proceeds to comply with the prime minister's suggestions. But clearly she has been moved less by the talkative pol than by the noble beast.

The word *noble* is crucial. While preparing to leave for London, the queen learns that the stag has been shot, not by the royal hunting party but by a guest at "one of the commercial estates." Upon her departure she stops at the estate in question and asks to see the "imperial 14-pointer," which is hanging beheaded in a game shed. From the gamekeeper she learns that the stag was wounded "by an investment banker" and had run 14 miles before the gamekeeper could "finish him off." "Let's hope he didn't suffer too much," remarks the queen. Then with her characteristic dry irony, she adds, "Please pass my congratulations to your guest."

None of this makes any sense if the stag is interpreted as "a mawkish stand-in for the doomed Diana" or "the movie's simplistic reminder to Elizabeth that Diana, too, is dead and deserving of some compassion" (to quote two metaphorically challenged reviewers). Just as roses symbolize love, stags symbolize nobility. If you want to get mythological about it, Diana is the name of the Roman goddess of the hunt, the one who slays the stag. The queen's epiphany is not about her pathetic former daughter-in-law, it's about herself. And not the private self who wants to hide under the covers whenever Tony Blair rings, but the public self who has been raised from birth to be the living residue of an ancient ideal: rule by a person or persons superior in virtue. Watching the stag beat his dignified retreat, the queen realizes she can do the same. And shortly thereafter, we see Blair lose his temper with his wife Cherie and his press secretary, Alastair Campbell, who have been dissing the queen. Whether or not the real Blair is given to eloquent outbursts defending the importance of the Crown to the British system of government, this one certainly comes at the right dramatic moment.

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What, exactly, does Blair want the queen to do? First, fly a flag at half-mast over Buckingham Palace: a highly inappropriate gesture, since that flag is not the Union Jack but the Queen's own standard, raised only when she is in residence and never lowered for anyone's death, not even that of a king. Second, go to London and pay her respects to Diana, preferably on the telly—the last thing the queen wants to do after reading mawkish tabloid headlines like "Show Us You Care." And third, authorize a state funeral: an idea so unprecedented, the queen's staff are forced to adapt the plans for the Queen Mum's funeral, with charity socialites standing in for soldiers and pop stars for foreign heads of state.

To object to such changes may seem silly to us Yanks, steeped as we are in the notion that improvised ceremonies are better than traditional ones. Take funerals, for example. There is a whole sub-genre of American indie film, in which estranged family members come together to carry out the last wishes of old Uncle Natural, usually something along the lines of having his ashes baked with hashish into Alice B. Toklas brownies and fed to the albino elk that in a remote part of Yosemite had watched him lose his virginity to a hippie girl now obese and living in a trailer with 17 cats. (This is a generic plot, available free of charge to anyone at Sundance.) But even we Yanks respect tradition...sometimes. Ask yourself: Should graduating seniors wear thongs and pig noses instead of caps and gowns? Should the White House be painted chartreuse? Should the Academy Awards be held in an underground parking garage and pod-cast to your cell phone, instead of beamed in HD-TV to your new plasma screen? Multiply these reactions by a googolplex, and you'll grasp what tradition means to many Britons.

An intriguing illustration comes from the life of Dame Mirren herself. Christened Ilyena Vasilievna Mironov, she is the daughter of an Englishwoman and a Russian, Vasily Mironov, whose father, Pyotr Mironov, came to London during the First World War as an envoy from the court of Tsar Nicholas II. The grandson of an aristocrat, Count Andrei Kamensky, Pyotr could not go home after the Bolshevik Revolution. So he stayed in London, driving a taxi, until his death in 1957. In 1955 his son Vasily changed the family name to Mirren and anglicized their first names. According to the *Daily Mail*, Helen Mirren has been keen to track down her Russian origins, not least because, as the reporter comments, "the actress, currently winning plaudits for her role as Elizabeth II in the acclaimed film *The Queen*, is herself descended from nobility. Her family tree can be traced back to a famous Russian soldier, ennobled by Tsar Paul I in the 18th Century."

Celebrity and Royalty

FOR GOOD HISTORICAL REASONS, AMERICANS have trouble comprehending this preoccupation with nobility—an incomprehension well reflected in *Marie Antoinette*, Sofia Coppola's over-the-top tribute to the Last Days of Disco—I mean, Versailles. Filmed on location and starring Kirsten Dunst as the Habsburg princess who at the age of 14 was wrenched from her home in Vienna and married to the French *dauphin*, this film stuffs the screen with obscenely extravagant visions of Louis XV's obscenely extravagant court. Much has been made of the 1980s rock soundtrack, which jells better with some scenes than with others. But the real anachronism is the acting, from Rip Torn playing Louis XV in a manner that would suit Uncle Natural, to Jason Schwartzman turning the future king, Louis-Auguste, into a befuddled high school nerd who does not know what to do when a pretty blonde lands in his bed.

Above all, Dunst transforms Marie Antoinette into a Hollywood stock character: the lower-class beauty with a brain, who is suddenly swept into the orbit of people richer and more powerful, but not necessarily sharper, than she. From Judy Holliday in *Born Yesterday* to Anne Hathaway in *The Devil Wears Prada*, this smart cookie typically starts out resenting those who did not come up the hard way, then ends up pitying them and teaching them the Golden Rule. To be born Archduchess of Austria is not exactly coming up the hard way, but never mind. When we first meet Maria Antonia Josefa Johanna von Habsburg-Lothringen, she is living in an okay palace (nothing special), playing with her pug dog, and wearing her hair loose. It's only when she crosses into France that she is forced to submit to all that heavy-duty royal razzmatazz, and her reactions are every bit as irreverent and entertaining as Judy Holliday's would have been.

I have yet to read a satisfactory explanation of why *Marie Antoinette* was booed at Cannes, but here's one possible explanation of why they found it mind-bendingly wrong: say what you will about the French, they do know the difference between celebrity and royalty. Even when chopping off their monarch's head, the French have always grasped what the institution stood for. And as for aristocracy, no amount of decapitation has ever made a dent in its salience in French politics, culture, and life. *La République* is still governed by the best and the brightest, *soi-disant*.

Barnard professor Caroline Weber, author of *Queen of Fashion: What Marie Antoinette Wore to the Revolution* (2006), defended Coppola's liberties in the *New York Times*, asserting that Marie is "multifaceted enough to accommo-

date most any interpretation, any ideology, any cultural bias." So chill, *citoyens*: this ungainly film is not a distortion of French history, it's a deliberately unflattering self-portrait of the Americans. Weber concludes: "With no interest in thorny policy issues, no care for the consequences of her actions, and no doubts about her own entitlement, this Marie Antoinette is today's ugly American par excellence: a Bush Yankee in King Louis's court."

That should get them clapping again. But unfortunately, when Coppola's film is viewed in this light, it comes off as even less successful, because it is not anachronistic enough. No doubt this is because Coppola's heavy reliance on Antonia Fraser's fine biography, *Marie Antoinette: The Journey* (2001), introduced a discordant note of historical accuracy. This shows up most clearly in the subplot involving Louis XV's mistress, Madame du Barry. A commoner and former courtesan, du Barry's sole reason for being at court was to service the randy old king. And this did not sit well with Marie Antoinette—indeed, the historical evidence indicates quite clearly that she snubbed the low-born du Barry, who took it quite ill and promptly became her enemy. Needless to say, such snobbery hardly fits with Coppola's portrayal of Marie Antoinette as a perky egalitarian whose heart goes out to the class nerd (Louis-Auguste). The only way this character could possibly react to the class skank (du Barry) would be to make friends with her and then join her in plotting revenge against all those bullying, stuck-up courtiers.

Marie Antoinette fails both as history and as anachronism. It clumsily distorts its subject, not just by keeping the starving masses offstage (as many have complained), but also by saddling its heroine with a slew of democratic, nay, populist virtues that are singularly ill suited to her particular time, place, and fate. Excoriated for 140 years after her execution as a symbol of aristocratic selfishness, Marie Antoinette was rehabilitated in 1933, when the Austrian-Jewish writer Stefan Zweig wrote a biography highlighting the young queen's courage and grace under the pressure of capture, imprisonment, and the guillotine. If you can't find Zweig's book, rent the 1938 movie starring Norma Shearer, which is based on it. Of course, that MGM production, lavish at \$2 million, can't compare with the gorgeous eye candy Coppola bought for herself at \$40 million. But in its creaky way, the older film tells a better story. Too bad the next version of Marie Antoinette's life cannot be a truly definitive portrait, written by Peter Morgan, directed by Stephen Frears, and starring the young, dewy, and suitably aristocratic Ilyena Mirinov.

Martha Bayles, who teaches humanities at Boston College, is the CRB's columnist on television and film.

PARTHIAN SHOT

by Mark Helprin



The Literary Tenor of the Times

UNABLE AS USUAL TO RESIST THE ABSURD, THE NEW YORK *Times* recently attempted to find and certify the best work of American fiction that appeared in the last quarter-century, and perhaps to dilute their unconscious embarrassment published a list of the runners-up. Asked to serve on the enormous panel of solons they had assembled for the purpose, I declined on the grounds that neither I nor just about anyone else has a sufficiently wide or deep knowledge of all that has been written in the period, and that even if we had, such a determination is impossible, especially at the hands of literary people who have intellectual debtors and creditors, protégés, and favorites (including, not least, themselves).

But suppose for a moment that reality is suspended and the perfectly disinterested judges, after considering various worthies, were left to decide which of Homer, Dante, and Shakespeare would fill the last slot in their list. Though they might make the choice, it would be meaningless. A meaningless decision, however, would be easy in the literary tenor of these times, which makes itself known not so much in works of fiction but in the vast apparatus that contains and to an alarming extent directs them.

One would have to have spent the last 40 years in a bathyscaphe to be unaware of the conventions, requirements, strictures, and demands that aggressively have (almost) monopolized the field. To anyone who reads, writes, or publishes, they are inescapable, the senseless, destructive, and cruel companions to a suicidal slide of culture, remarkable for the degree to which they are taken as palliatives and correctives rather than the acid that eats away the bone. After all, the addict views narcotics, the criminal his next score, and the lemming the open air beyond the cliff edge—as salvation.

And thus the literary tenor of the times is saturated above all with nihilism and its outrider, contempt; followed by politicization and its outrider, conformity. The first pair of abominations serves to dissolve the supple, living flesh of civilization—whether in blunt Leninist political combat hidden in the folds of academic relativism, or in the unbri-dled Satanic ravings of popular culture that society has lost the courage to dismiss outright. And the second pair of abominations serves to cast what remains after the dissolution into a slipshod orthodoxy as gray, hard, and dead as concrete.

Strangely enough, the enforcers and beneficiaries of this orthodoxy, which in spirit goes far beyond even the standard obeisances to race, sex, class, economics, and selected dogma in international relations and meteorology, think they are beleaguered revolutionaries. For example, in affirming his courage, Norman Mailer—everything he has done has been to affirm his courage, which perhaps one should not condemn in a man who bears such a strong physical resemblance to Mamie Eisenhower—pronounces that he has been a leftist all his life, something that in Manhattan and Brooklyn Heights may not be quite as dangerous as he hallucinates.

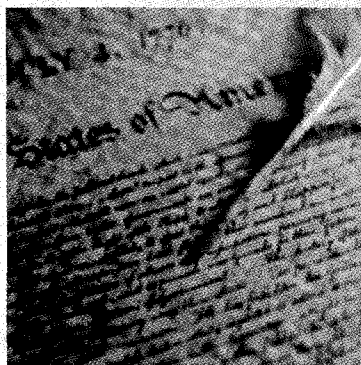
And yet politics themselves, of whatever coloration, are less damaging an intrusion upon the literary enterprise than the now deeply engraved notion that literature cannot escape them. Political discourse can be literature, as Pericles, Lincoln, and Churchill prove, but literature that is political discourse destroys itself, as history proves (pace the febrile tracts of tenured lunatics: *Disguised Vaginal Narratives of the French & Indian War: The Hidden Meanings of Bernard de Con's Account of the Assault on Fort Ticonderoga—A Novel*). Whereas great political writing, always primarily literary, is equipped to transcend the causes and contentions of the day, a literary work that rests upon a political cause will follow it into oblivion. Lincoln and Churchill infused politics with the higher truths to which literature is the handmaiden, but the modern convention excludes these truths by subordinating literature to politics.

ONE SELDOM ENCOUNTERS PURE NIHILISM, FOR JUST AS anarchists are usually very well-organized, most of what passes for nihilism is a compromise with advocacy. Present literary forms may spurn the individual, emotion, beauty, sacrifice, love, and truth, but they energetically embrace the collective, coldness of feeling, ugliness, self-assertion, contempt, and disbelief. And why? Simply because the acolytes of modernism are terribly and justly afraid. They fear that if they do not display their cynicism they will be taken for fools. They fear that if they commit to and uphold something outside the puppet channels of orthodoxy they will be mocked, that if they are open they will be attacked, that if they appreciate that which is simple and good they will foolishly have overlooked its occult corruptions, that if they stand they will be struck down, that if they love they will lose, and that if they live they will die.

As surely they will. And others of their fears are legitimate as well, so they withdraw from engagement and risk into what they believe is the safety of cynicism and mockery. The sum of their engagement is to show that they are disengaged, and they have built an elaborate edifice, which now casts a shadow over every facet of civilization, for the purpose of representing their cowardice as wisdom. Mainly to protect themselves, they write coldly, cruelly, and as if nothing matters.

But life is short, and things do matter, often more than the human heart can bear. This is an elemental truth that neither temporarily victorious nihilism, nor fashion, nor cowardice can long suppress, which is why the literary tenor of the times cannot and will not last. And which is one reason among many why one must not accept its dictates or write according to its conventions. These must and will fall, for they are subject to constant pressure as generation after generation rises in unprompted affirmation of human nature. And though perhaps none living may see the change, it is an honor to predict and await it.

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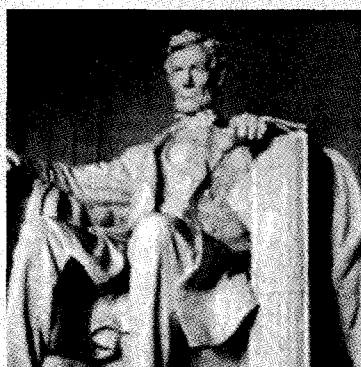


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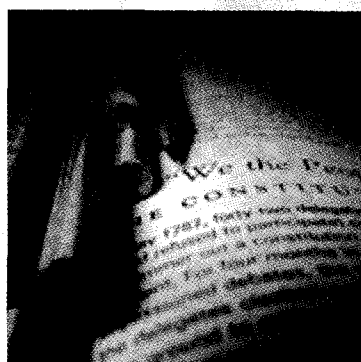


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In this Issue

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